

E L E G A N T
O R A T I O N S,

ANCIENT AND MODERN,

FOR THE USE OF SCHOOLS;

ORIGINALLY COMPILED

FOR THE INSTRUCTION OF HIS OWN PUPILS;

BY

THE REV. J. MOSSOP, A.M.

MASTER OF THE BOARDING-SCHOOL, *K*

BRIGHTHELMSTONE.

- - - - *patriæ sit idoneus.* - - - - JUV.

L O N D O N:

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TO
THE MOST NOBLE
CHARLES HOWARD,
DUKE OF NORFOLK,
EARL OF SURRY,
HEREDITARY EARL MARSHAL OF ENGLAND,
Ec. Ec. Ec.

THESE ORATIONS

ARE INSCRIBED,

With the utmost deference and respect,

By His GRACE's most obedient,

And very humble Servant,

The Editor.



ADVERTISEMENT.

APOLOGIES for publication are become so uniformly fashionable, that the Editor of the following Compilation, though duly sensible of the trivial regard generally paid to them, cannot offer it to the world without subscribing, in some degree, to the common custom. He wishes to avoid every imputation of singularity; and though he can by no means flatter himself that the Public will treat him more favourably than his contemporaries, yet he cannot, both in justice to himself and his readers, submit his labours (light as those of a Compiler may be) to them, and at the same time omit a few principal reasons which have induced him to embark in the undertaking.

Utility is generally reputed a laudable motive; and whoever aims at it, should he

fail in his views, merits our compassion rather than our censure. By this motive has the Compiler been actuated.

Experience has pointed out the utility of such a compilation as the following; and has also enabled the Editor to say, that youth (with a very few exceptions) acquire a facility, steadiness and accuracy in reading and speaking, in less time, by the frequent use of Harangues or Orations, than by that of any other species of composition whatever. The sentiments of these are mostly delivered in so natural, regular, and succinct a manner, that the pupil is led imperceptibly, not only to the knowledge of words, but of things also. In the following collection a due regard has been had to this point; and he will be furnished with the opinions of some of the greatest of ancient and modern Statesmen, as a basis whereon to form a conduct in life, both serviceable to himself and society in general.

By

By frequent exercise in repeating certain of the following speeches, youth will obtain a sufficient confidence for public speaking (a thing so much looked up to, and so very desirable as well as useful in almost every walk of life) without that hazard of their morals which accrues from the foolish custom of acting plays. This practice is now almost generally, and indeed deservedly, exploded in most Schools of note; and many fond parents now lament the ruinous consequences which have followed this mode, however they may have been enchanted with it at a former period. Were it to have no worse effects, it tends to break down the barriers of modesty and diffidence, those sweetest ornaments of youth, and dismisses the pupil from his course of Education, without a qualification of any sort, except that noisy, troublesome, and the Editor ventures to add, useless one, of—*a Spouter.*

To the different tastes of different Readers the Compiler could have wished to have said a few words, but he has already

ready exceeded the limits he proposed to himself in this Advertisement. He can now only add, in the words of Johnson, that he offers them his compilation "with the spirit of a man that has endeavoured well."

Brighthelmstone, January 28, 1788.

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ANON.

E L E G A N T
O R A T I O N S.

N^o I. *Mr. WALPOLE against Mr. PITT (the late Lord Chatbam), reflecting on his youth and theatrical manner.—1741.*

SIR,

I WAS unwilling to interrupt the course of this debate while it was carried on, with calmness and decency, by men who do not suffer the ardour of opposition to cloud their reason, or transport them to such expressions as the dignity of this Assembly does not admit. I have hitherto deferred to answer the Gentleman who declaimed against the bill, with such fluency of rhetoric, and such vehemence of gesture,—who charged the advocates for the expedients now proposed, with having no regard to any interest but their own, and with making laws only to consume paper, and threatened them with the defection of their adherents, and the loss of their influence,

B

upon

upon this new discovery of their folly, and their ignorance. Nor, Sir, do I now answer him for any other purpose than to remind him how little the clamours of rage, and petulancy of invectives, contribute to the purposes for which this Assembly is called together ;—how little the discovery of truth is promoted, and the security of the nation established by pompous diction, and theatrical emotions. Formidable sounds and furious declamations, confident assertions and lofty periods, may affect the young and unexperienced ; and perhaps the Gentleman may have contracted his habits of oratory, by conversing more with those of his own age, than with such as have had more opportunities of acquiring knowledge, and more successful methods of communicating their sentiments. If the heat of his temper, Sir, would suffer him to attend to those whose age, and long acquaintance with business, give them an indisputable right to deference and superiority, he would learn, in time, to reason rather than declaim, and to prefer justness of argument, and an accurate knowledge of facts, to sounding epithets, and splendid superlatives, which may disturb the imagination for a moment, but leave no lasting impression on the mind. He will learn, Sir, that to accuse and prove are very different, and that reproaches unsupported by evidence, affect only the character of him that utters them. Excursions of fancy, and flights of oratory, are
indeed

indeed pardonable in young men, but in no other; and it would surely contribute more, even to the purpose for which some Gentlemen appear to speak (that of depreciating the conduct of the administration), to prove the inconveniences and injustice of this bill, than barely to assert them, with whatever magnificence of language, or appearance of zeal, honesty, or compassion.

Nº II. *Mr. PITT's Reply.*

SIR, the atrocious crime of being a young man, which the honourable Gentleman has, with such spirit and decency, charged upon me, I shall neither attempt to palliate, nor deny,—but content myself with wishing that I may be one of those whose follies may cease with their youth, and not of that number who are ignorant in spite of experience. Whether youth can be imputed to any man as a reproach, I will not, Sir, assume the province of determining;—but surely age may become justly contemptible, if the opportunities which it brings have past away without improvement, and vice appears to prevail, when the passions have subsided. The wretch who, after having seen the consequences of a thousand errors, continues still to blunder, and whose age has only added obstinacy to stupidity, is surely the object of either abhorrence or contempt, and deserves not that his grey hairs should secure him

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from

from insult. Much more, Sir, is he to be abhorred, who, as he has advanced in age, has receded from virtue, and becomes more wicked with less temptation;—who prostitutes himself for money which he cannot enjoy, and spends the remains of his life in the ruin of his country. But youth, Sir, is not my only crime; I have been accused of acting a theatrical part. A theatrical part may either imply some peculiarities of gesture, or a dissimulation of my real sentiments, and an adoption of the opinions and language of another man.

In the first sense, Sir, the charge is too trifling to be confuted, and deserves only to be mentioned, to be despised. I am at liberty, like every other man, to use my own language; and though perhaps I may have some ambition to please this Gentleman, I shall not lay myself under any restraint, nor very solicitously copy his diction, or his mein, however matured by age, or modelled by experience. If any man shall, by charging me with theatrical behaviour, imply, that I utter any sentiments but my own, I shall treat him as a calumniator, and a villain;—nor shall any protection shelter him from the treatment he deserves. I shall on such an occasion, without scruple, trample upon all those forms with which wealth and dignity intrench themselves,—nor shall any thing but age restrain my resentment;—age, which always brings one privilege,

vilege, that of being insolent and supercilious without punishment. But with regard, Sir, to those whom I have offended, I am of opinion, that if I had acted a borrowed part, I should have avoided their censure: the heat that offended them is the ardour of conviction, and that zeal for the service of my country, which neither hope nor fear shall influence me to suppress. I will not sit unconcerned while my liberty is invaded, nor look in silence upon public robbery. I will exert my endeavours, at whatever hazard, to repel the aggressor, and drag the thief to justice,—whoever may protect them in their villainy,—and,—whoever may partake of their plunder.

N^o III. *Sir ROBERT WALPOLE, on a motion that the House do censure, as a malicious libel, a certain Paper which had been previously circulated among the Members.—1740.*

Mr. SPEAKER,

SIR, whether the question be proper or not, it seems to me unnecessary to debate; because, however it be answered, it cannot be of great importance;—the man has already confessed himself the author of the libel, and may, therefore, be punished, without further examination.

That he is the real author, Sir, I am not indeed convinced by his assertion, with whatever

confidence it was made ; for, so far as his appearance enables me to judge of his education and sphere of life, it is not probable that he should be much versed in political enquiries, or that he should engage in the discussion of questions like this.

There appears, Sir, in the paper before us, a more extensive knowledge of facts, a more accurate attention to commerce,—most artful reasoning, and a more elevated style, than it is reasonable to expect from this man, whom, without pretending to determine the limits of his capacity, or the compass of his knowledge, I am, for my part, inclined to look upon as an agent to some other person of higher station, and greater accomplishments.

It is not uncommon, Sir, for gentlemen to exercise their abilities, and employ their pens, upon political questions ; and when they have produced any thing, which their complaisance for themselves equally hinders them from owning and suppressing, they are known to procure some person of inferior rank to take upon him in public the character of the author, and to stand the danger of the prosecution, contenting themselves with the applause and admiration of their select friends, whom they trust with the important secret, and with whom they sit and laugh at the conjectures of the public, and the ignorance of the ministry.

This,

This, Sir, is a frequent practice, not only with those who have no other employment, but, as I have sufficient reasons to believe, among some gentlemen who have seats in this House; gentlemen whose abilities and knowledge qualify them to serve the public in characters much superior to that of lampooners of the government.

N^o IV. *Mr. PULTENEY's Answer.*

MR. SPEAKER,

SIR, whether the man who confessed himself the author of the paper has accused himself of what he did not commit, or has ingenuously and openly discovered the truth, it is beyond my penetration absolutely to decide. The frankness and unconcern with which he made the declaration, give it, at least, the appearance of truth; nor do I discover any reason for doubting his sincerity. Is there any improbability in the nature of the fact, that should incline us to suspect his veracity? Is there any apparent advantage to be gained by assuming a false character? Neither of those circumstances can be produced against him; and, an assertion is to be admitted, for its own sake, when there is nothing to invalidate it.

But the honourable Gentleman, Sir, appears to have a very particular reason for his doubts; a reason which will, I hope, have no weight with

any but himself. By denying the paper to this man, he gives room for conjecture and suspicion to range far and wide, and wanton with whatever characters he shall think proper subjects for his amusement. An author is now to be sought; and many diverting arguments may be brought by the dullest enquirer for fixing it upon one man, or denying it to another.

The honourable Gentleman, Sir, has given us a bold specimen of this kind of wit, by insinuating that it is the production of some one of the Members of this House; a conjecture of which I am not able to find the foundation, and therefore imagine, that raillery rather than argument was intended. But, let the honourable Gentleman recollect that the chief excellence of raillery is politeness, to which he has surely paid little regard, in supposing that what has been unanimously condemned as a libel, has one of those who censured it for its author.

If I am particularly hinted at in this sagacious conjecture, I take this opportunity of declaring that I am equally ignorant of the whole affair with any other Gentleman in this House;—that I never saw the paper, till it was delivered to me at the door, nor the author till he appeared at the bar. Having thus cleared myself, Sir, from this aspersions, I declare it as my opinion, that every Gentleman in the House can safely exculpate himself in the same manner; for I cannot
conceive,

conceive, that any of them can have written a libel like this. There are, indeed, some passages which would not disgrace the greatest abilities, and some maxims true in themselves, though perhaps fallaciously applied; and at least such an appearance of reasoning and knowledge, as sets the writer far above the level of the contemptible scribblers of the ministerial vindications:—a herd of wretches whom neither information can enlighten, nor affluence elevate; low drudges of scurrility, whose scandal is harmless for want of wit, and whose opposition is only troublesome from the pertinaciousness of stupidity.

Why such immense sums are distributed amongst these reptiles, it is scarce possible not to enquire; for it cannot be imagined that those who pay them expect any support from their abilities. If their patrons would read their writings, their salaries would quickly be withdrawn; for a few pages would convince them, that they can neither attack nor defend, neither raise any man's reputation by their panegyric, nor destroy it by their defamation.

N^o V. *Sir ROBERT WALPOLE's Reply.*

I HOPE it is not expected, Sir, that the heat with which one class of our political writers have been attacked by the honourable Gentleman, should engage me to undertake their defence with the same earnestness. I have neither interest

enough in the question to awaken my passions, nor curiosity or leisure sufficient for such an examination of the writings on each side as is necessary, before the superiority of any author above his brethren can be justly asserted.

It is no part, Sir, of my employment or amusement to compare their arguments, or to balance their abilities;—nor do I often read the papers of either party, except when I am informed by some that have more inclination to such studies than myself, that they have risen by some accident above their common level.

Yet, that I may not appear entirely to desert the question, I cannot forbear to say, that I have, never, from these accidental inspections of their performances discovered any reason to exalt the authors who write against the administration, to a higher degree of reputation than their opponents. That any of them deserve loud applauses, I cannot assert, and am afraid that all which deserves to be preserved of the writings on either side, may be contracted to a very few volumes.

The writers for the opposition appear to me to be nothing more than the echoes of their predecessors; or, what is still more despicable, of themselves; and to have produced nothing in the last seven years, which had not been said seven years before.

I may, perhaps, be thought by some gentlemen of each class, to speak contemptuously of their
their

their advocates, nor shall I think my own opinion less just for such a censure; for the reputation of controversial writers arises generally from the prepossession of their readers, in favour of the opinions which they endeavour to defend. Men easily admit the force of an argument which tends to support notions that it is their interest to diffuse, and readily find wit and spirit in a satire pointed at characters which they desire to depress. But to the opposite party, and even to themselves when their passions have subsided, and their interest is disunited from the question, those arguments appear only loud assertions, or empty sophistry; and that wit which was clamorously praised, discovers itself to be only impudence or low conceits; the spirit evaporates, and the malignity only remains.

If we consider, Sir, what opposition of character is necessary to constitute a political writer, it will not be wondered that so few excel in that undertaking. He that will write well, in politics, must, at the same time, have a complete knowledge of the question, and time to digest his thoughts into method, and polish his style into elegance; which is little less than to say, he must be at once a man of business, and a man of leisure; for political transactions are not easily understood, but by those who are engaged in them; and the art of writing is not attainable without long practice and sedentary application.

Thus it happens that political writings are generally defective; for they are drawn up by men unacquainted with public business, and who can therefore only amuse their readers with fallacious recitals, specious sophistries, or an agreeable style: or, they are the hasty productions of busy negociators, who, though they cannot but excel the other class of writers in that which is of most importance, the knowledge of their subject, are yet rarely at leisure to display that knowledge to advantage, or add grace to solidity.

Writers of the latter sort appear but seldom; and most of our political papers are the amusements of leisure, or the expedients of want.

Whether the paper now before us be the produce of ease, or of necessity, I shall not determine. I have already offered my opinion, that the man who claims it, is not the author; nor do I yet discover any reason for changing my sentiments: the question is a question merely of conjecture, since neither I nor the honourable Gentleman attempt to offer any demonstrative proofs of our opinion. If he has any to produce in favour of his own notions, let him lay them before you; but, let him always forbear to impute to me assertions which I never uttered, and beware of representing me as declaring that I believe this paper the composition of some Member of this House.

N^o VI. *Mr. Fox, on American Affairs.*—1778.

YOU have now two wars before you, of which you must chuse one, for both you cannot support. The war against America has hitherto been carried on against her alone, unassisted by any ally whatever: notwithstanding she stood alone, you have been obliged uniformly to increase your exertions, and to push your efforts in the end to the extent of your power, without being able to bring it to an issue; you have exerted all your force hitherto without effect, and you cannot now divide a force found already inadequate to its object. My opinion is for withdrawing your forces from America entirely, for a defensive war you can never think of there of any sort; a defensive war would ruin this nation at any time, and in any circumstances: offensive war is pointed out as proper for this country; our situation points it out, and the spirit of the nation impels us to attack rather than defence: attack France then, for she is your object. The nature of the wars is quite different: the war against America is against your own countrymen, you have stopped me from saying against your fellow-subjects; that against France is against your inveterate enemy and rival. Every blow you strike in America is against yourselves; it is against all idea of reconciliation, and against your own interest, though you should be able, as you never will, to force

force them to submit. Every stroke against France is of advantage to you : the more you lower the scale in which France lays in the balance, the more your own rises, and the more the Americans will be detached from her as useless to them. Even your own victories over America are in favour of France, from what they must cost you in men and money : your victories over France will be felt by her ally. America must be conquered in France ; France never can be conquered in America.

The war of the Americans is a war of passion ; it is of such a nature as to be supported by the most powerful virtues, love of liberty and of their country ; and, at the same time, by those passions in the human heart which give courage, strength, and perseverance to man ; the spirit of revenge, for the injuries you have done them ; of retaliation, for the hardships you have inflicted on them ; and of opposition to the unjust powers you have exercised over them. Every thing combines to animate them to this war, and such a war is without end ; for whatever obstinacy, enthusiasm ever inspired man with, you will now find it in America : no matter what gives birth to that enthusiasm, whether the name of religion or of liberty, the effects are the same ; it inspires a spirit that is unconquerable, and solicitous to undergo difficulty, danger, and hardship ; and as long as there is a man in America, a being formed
such

such as we are, you will have him present himself against you in the field. The war of France is a war of another sort; the war of France is a war of interest: it was her interest first induced her to engage in it, and it is by that interest that she will measure its continuance. Turn your face at once against her, attack her wherever she is exposed, crush her commerce whatever you can, make her feel heavy and immediate distress throughout the nation: the people will soon cry out to their government. Whilst the advantages she promises herself are remote and uncertain, inflict present evils and distresses upon her subjects: the people will become discontented and clamorous; she will find it a bad bargain, having entered into this business; and you will force her to desert any ally that brings so much trouble, and distress, and misfortune, the advantages of whose alliance may never take effect; or if they should be subject always to disturbance from this country, which it always ought to be, and which I know you are able to give, if you once get your hands clear of America. What is become of the ancient spirit of this nation? Where is the national spirit that ever did honour to this country? Have the present ministry spent that too, with almost the last shilling of your money? Are they not ashamed of the temporizing conduct they have used towards France? Her correspondence with America has been clandestine: compare

compare that with their conduct towards Holland, some time ago ;—but it is the characteristic of little minds to be exact in little things, whilst they shrink from their rights in great ones.

The conduct of France is called clandestine : look back but a year ago to a letter from one of your Secretaries of State to Holland ; “ it is with surprise and indignation” your conduct is seen, in something done by a petty Governor of an Island, while they affect to call the measures of France clandestine. This is the way that ministers support the character of the nation, and the national honour and glory. But look again how that same Holland is spoke of to-day ; even in your correspondence with her your littleness appears :

————— *Pauper & exul uterque,
Projecit ampullas, & sesquipedia verba.*

From this you may judge of your situation, from this you may know what a state you are reduced to. How will the French party in Holland exult over you, and grow strong ! She will never continue your ally, when you meanly crouch to France, and do not dare to stir in your defence ! But it is nothing extraordinary that she should not, while you keep the ministers you have : no power in Europe is blind ; there is none blind enough to ally itself with weakness, and become partner in bankruptcy ; there is no one blind enough to ally themselves to obstinacy, absurdity, and imbecillity.

Nº VII. *Mr. DUNDAS, on the attainted Peers
affair.—1784.*

Mr. SPEAKER,

THERE are several persons, useful and deserving members of society, who are unfortunately, at this time, deprived of the happiness and comfort of enjoying their hereditary possessions. Those unhappy men have suffered from the active part which their ancestors or themselves have taken in a late alarming rebellion, that had convulsed the empire, and nearly overthrown the present Royal Family ;—but those feuds and animosities are now entirely done away, and I can with truth and justice affirm, that his present Majesty has not in his dominions a more brave and loyal people than those who possess the mountains of the North. They have frequently given the most distinguished and memorable proofs of their prowess, their affection to their Country, and their loyalty to the best of Sovereigns, by expending their treasures, and often pouring forth their blood for the defence and glory of Great Britain.

Surely, therefore, that people who have called forth their military skill for the honour of their countrymen,—who have often repelled the enemy, who have often added new lustre to our former glorious achievements, merit at least some small degree of acknowledgement and gratitude from
their

their fellow subjects. Their cause of former misunderstanding is now no more; and as they have made themselves illustrious in the field, they claim the protection of the British administration in the cabinet.—I need hardly mention, that the people I allude to are those hardy sons of Britain who inhabited the mountains in the Highlands of Scotland;—a race of men to whom an illustrious Statesman, in a former war, has paid the highest tribute of applause for their military prowess.

I am proud to have been the first who called forth those resources from the bleak wilds and mountainous parts of the North, as they have been the means of restoring peace and tranquillity to our dominions when most other resources had been applied to in vain. I, like the illustrious Statesman to whom I allude, am not too partial to this or that part of the country, but freely confess, that I am stimulated from motives of justice and humanity, to make a proposition, which has for its ultimate object, the restoration of property to the real proprietors, and giving peace and happiness to some individuals, who merit well of society.—The illustrious person to whom I allude, is the late Earl of Chatham, a name glorious in the annals of Great-Britain, and who has spoken of the hardy sons of the North in terms of the most expressive panegyric. “I am not,” said he, “attached to one part of the country more than another. I am above
“ all

“ all local prejudices.—It is a matter of indif-
 “ ference to me, whether a man was rocked in
 “ his cradle, on this or on the other side of the
 “ Tweed.—I fought for *merit* where I could find
 “ it;—and, I found it in the mountains of the
 “ North.—Those hardy sons answered the emer-
 “ gency of the times, and I have the honour to
 “ boast of being the first who called their powers
 “ forth into action.—They were, in a manner,
 “ proscribed and forgotten, till I emancipated
 “ them from their bondage, and helped to wipe
 “ away the odium which was illiberally fixed
 “ upon them.—No sooner had they taken the
 “ field in the service of their country, than they
 “ turned the tide of war, and our manly exer-
 “ tions were crowned with success.—They fought
 “ our battles, they bled freely in the same cause,
 “ and gave the enemy to understand, that Bri-
 “ tish valour was not to be conquered without a
 “ superior degree of personal courage and bra-
 “ very.—Their fidelity could only be equalled by
 “ their intrepidity, which has signalized their
 “ own and the Country’s renown all over the
 “ world.”—

These were the sentiments of that great Mi-
 nister, who had shaken the dominions of the
 French Monarch to the centre. I confess I am
 as free from national prejudices as the much-
 esteemed Earl, and adopt the present proposition
 from motives of sound policy. I am not attached
 to

to one part of the country more than to another, and would be happy to embrace an opportunity of shewing my impartiality. The unfortunate persons whose case I now submit to Parliament, have been deprived of their estates for near forty years. I do not call to question the national expediency which has impelled the legislature to enact those laws that have operated so rigidly against them ;— but if, by an alteration of the times, and an alteration of opinion, motives of humanity could be adopted, it would, I am convinced, be worthy of a British Parliament, to alleviate the distresses of their fellow-creatures, by restoring to them those possessions which they once had a right to enjoy.— Their past atonement demands it as an act of justice : their future conduct, if we may judge from their past services to the state, will make it an act of national wisdom. They have already suffered sufficiently for the part they have taken in the late rebellion in 1745.— They have been proscribed—they have been forced into exile,—they have frequently been reduced to the most deplorable dilemma ;— in short,—they have laboured under every species of misfortune and affliction.— Instead of comfortably enjoying their own lands and possessions,—instead of passing their time in the sweet society of their wives and children,—instead of enjoying those blessings which God had, in a former period, bestowed upon them, they are—
 excruciating

excruciating thought!—doomed to a variety of the most complicated disasters,—and forced to seek that asylum and happiness in a foreign land, which are denied them at their native homes.—

I am happy to think that my proposition has been frequently in the contemplation of several administrations. I have often mentioned it to the noble Lord in the blue ribbon, when he was Minister of the Country;—and, I can assure the Committee, that, to the honour of his Lordship be it said, he has often entered into the subject with the greatest warmth and tenderness;—and has, on all those occasions, acted as a man of honour, integrity, and universal philanthropy.—In justice to the late administration, it is proper to mention, that they intended to bring forward a proposition of a similar nature. But the different administrations of this country have of late been so fluctuating, that it has been impossible for them to prosecute any such design with effect. However, I can now congratulate the people on the occasion, when the present Ministry will have it in their power to alleviate the distresses of those unfortunate persons, by restoring to them their estates and property.

The immortal Earl of Chatham was the first man, after the late unfortunate rebellion, that called those men forth from obscurity. He intended to have rewarded them in a similar manner, as appears from the encomiums which he bestowed

bestowed upon them, some years ago, on a question relative to the Stamp Act, when he had an opportunity of doing justice to the merit of the Highlanders.—This design however was frustrated;—but, it gives me singular felicity to think, that what was so happily begun, under the administration of that illustrious personage, will be completed under that of his Son; for I am fully persuaded, that none will object to a measure which is pregnant with the most happy consequences.

N^o VIII. DEMOSTHENES *on the Peace.*

Athenians !

I SEE that this debate must be attended with many difficulties and great commotion : not only because many of our interests are already given up, and therefore unnecessary to be now laid before you ; but because it is impossible to agree on such expedients as may secure what yet remain ; but that a variety of clashing opinions must divide the assembly. Then, to advise, is naturally a difficult and distressing part. But you, Athenians ! have rendered it yet more distressing : for all other people naturally seek counsel, while affairs are yet depending : you deliberate, when the event hath made it too late. Hence hath it happened, through the whole course of my observation, that the man who arraigns

raigns your conduct is heard with esteem, and his sentiments approved ; yet have your affairs ever miscarried, and the objects of your deliberation have all been lost. But, although this be too true, still I am persuaded (and from this persuasion I arose to speak), that if you will put an end to tumult and opposition, and grant me that attention which becomes those who are consulting for their Country, and upon so important an occasion ; I have some points to urge, some measures to propose, which may serve our present interests, and repair our past miscarriages.

Sensible as I am, Athenians ! that to expatiate on those counsels one hath formerly given, and to speak of one's self, is the most successful artifice of those who dare to practice such artifice ; yet to me it is so odious, so detestable, that, although I see it necessary, yet I loath it. However, it will assist your judgement, I presume, on this occasion, if you recall to mind something of what I formerly have mentioned.—You may remember, that during the disorders of Eubæa, when certain persons persuaded you to assist Plutarchus, and to undertake an inglorious and expensive war, I was the first—the only one—who rose up to oppose it, and scarcely escaped their fury, who, for a trifling gain, were urging you to many highly pernicious measures. In a little time, when the load of infamy had fallen upon you, and that you had suffered such treatment as

no people ever received from those they had assisted, you were all made sensible of the iniquity of your seducers, and the justness and integrity of my counsels. Again, when I saw Neoptolemus, the player, (in that full security which his profession gave him) involving the state in the greatest distress, and, in all his public conduct, devoted to Philip; I appeared, and warned you of the danger; and this from no secret motive, no private enmity, no officious baseness, as the event itself discovered. But it is not the defenders of Neoptolemus that I accuse (for he was not depending on a single one), but you yourselves: for, had you been spectators in the theatre, not engaged in affairs of the highest and most intimate concernment to the public, you could not have heard him with more indulgence, nor me with more resentment. And now you all know, that he who then went over to the enemy, pretending to collect some debts, that he might bring them hither (as he said) to enable him to serve the state, that he who was perpetually inveighing against the cruelty of accusing a man for thus transferring his effects from that country hither,—the moment that a peace freed him from all apprehensions, converted that estate into money, which he acquired here, and brought it off with him to Philip.

These two instances, which I have produced, shew with what fidelity and truth I spoke on
those

those occasions. I shall mention one, and but one more, and then proceed to the point now to be debated. When we had received the solemn ratification of the treaty, and that the embassy returned home; when certain persons assured you, that Thespia and Platæa were to be repeopled; that, if Philip became master of the Phocians, he would spare them; that Thebes was to submit to his regulation; that Oropus was to be ours; that Eubœa should be given up to us, as an equivalent for Amphipolis; with other such insidious promises, which, in spite of interest, of justice, and of honour, drove you to abandon Phocis; I never attempted to deceive you, I was not silent: no, you must remember I declared that I knew of none, that I expected none of these things, but thought that whoever mentioned them could scarcely be serious.

And these instances of my superior foresight I do by no means ascribe to any extraordinary penetration. I speak it not from boasting or arrogance: nor do I pretend to any superiority but what arises from these two causes. The first is fortune, which I find more powerful than all the policy and wisdom of man; the other, that perfect disinterestedness, with which my judgements are ever formed, so that no man can hold out any advantage to my view, to influence my public conduct. Hence it is, that, on all occasions of debate, your true interest strikes my eye

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directly.

directly. But when a bribe is, as it were, cast into one scale, it then preponderates, and forces down the judgement with it : so that it is not possible that a person thus influenced can ever offer good and salutary counsel.

And now, to give my sentiments on the present occasion. Whether subsidies or alliances, or whatever schemes are concerting for the public good, one point must be secured ; the continuance of the present peace. Not that it is so very excellent, or so worthy of you : but of what kind so ever it may be, it were more for the interest of your affairs that it had never been concluded, than that now, when it is concluded, you should infringe it : for we have suffered ourselves to be deprived of many advantages, which would have given our arms much more security and strength.

In the next place we must be careful not to drive those to extremities, who are now assembled, and call themselves the Council of Amphictyons ; nor to afford them a pretence for a general war against us. Were we again engaged with Philip for Amphipolis, or any such private matter of dispute, in which neither Thessalians, nor Argians, nor Thebans, were concerned ; in my opinion, none of these would join against us ; and least of all,—let me be heard out without interruption,—the Thebans : not that they wish well to us, or would not willingly recommend themselves to Philip ; but they are perfectly sensible

sible (however mean their understandings may be thought) that, were they to engage in a war with you, the evils would all fall on them; the advantages others would lie ready to intercept. They would therefore never be betrayed into such a quarrel, unless the cause were general. In like manner, another war with the Thebans for Oropus, or any such private cause, could not, I think, distress us: for there are those who would join either with us or them, to repel an invasion; but, in offensive measures, would concur with neither. This is the true nature, the very spirit of alliances. There are none so much attached to us or Thebes, as to desire that we should maintain our own power, and triumph over our competitors. To be secure, they would all wish us for their own sakes; but that either of us should reduce the other to subjection, and so be enabled to give law to them, not one would bear.

Where then lies the danger? What are you to guard against? That general pretence for uniting against us, which the war now agitating may afford the states. For if the Argians, and the Messenians, and the Megalopolitans, and such other of the Peloponnesians as are in the same interest, should make it a cause of quarrel, that we have sought a treaty with the Lacedemonians, and seem to have favoured their designs; if the Thebans, incensed as they are said to be at present, should become yet more incensed at our har-

bouring their exiles, and taking every occasion
 of declaring ourselves implacably averse to them ;
 if the Theſſalians ſhould reſent our reception
 of the fugitive Phocians ; and Philip, our op-
 poſing his admiſſion into the councils of Am-
 phictyons ; I fear, that, to revenge theſe private
 quarrels, they may uſe the authority of this coun-
 cil, to give ſanction to a general war againſt us ;
 and, in the violence of reſentment, forget even
 their own intereſt, as it happened in the Phocian
 wars. You are not ignorant that the Thebans,
 and Philip, and the Theſſalians, although they
 had by no means the ſame views, have yet all
 concurred in the ſame ſcheme of conduct. The
 Thebans, for inſtance, were not able to hinder
 Philip from paſſing, and becoming maſter of
 Thermopylæ, nor from coming in, after all their
 toils, and depriving them of their glory ; (for,
 as to poſſeſſions, and the acquiſition of territo-
 ries, the Thebans have ſucceeded happily ; but,
 in point of honour and reputation, they have
 ſuffered moſt ſhamefully.) If Philip did not paſs,
 they were to expect nothing : it was highly
 diſagreeable to them ; yet for the ſake of Or-
 chomenus and Coronea, which they greatly de-
 ſired, but were not able to take, they choſe to
 endure all this. And yet there are perſons who
 dare to aſſert that Philip did not ſurrender theſe
 cities to the Thebans freely, but was compelled.
 Away with ſuch pretences ! I am ſatisfied that
 this

this was equally his concern, with the gaining the Streights, the glory of the war, the honour of deciding it, and the directions of the Pythian games ; and these were the greatest objects of his most earnest wishes. As to the Thessalians, they neither desired to see the Thebans aggrandized, nor Philip, (for in their power they saw danger to themselves) ; but two things they greatly desired, a seat in the council of Amphictyons, and the wealth of Delphos ; and thence were they induced to join in the confederacy. Thus you may observe, that private interest oftentimes engages men in measures quite opposite to their inclinations ; and therefore it is your part to proceed with the utmost caution.

“ What then ? ” says some one, “ shall these apprehensions make us yield to his demands ? Is this your motion ? ” Not at all : I only mean to shew you, how you may maintain your dignity, avoid a war, and approve your moderation and justice to the world. As to those violent men who think we should brave all dangers, nor foresee the difficulties attending upon arms, I wish them to consider this. We allow the Thebans to possess Oropus : were we asked the motive, we should answer, To avoid a war. In like manner, by the present treaty, we yield Amphipolis to Philip ; we suffer the Cardians to be distinguished from the other inhabitants of the Chersonesus ; the King of Caria to possess Chios,

and Cos, and Rhodes; and the Byzantines to cruise for prizes: and this, because we think that peace and tranquillity will produce more advantages than violence and contests about these points. And if thus directed in our conduct towards each particular state, and where our interest is highly and intimately concerned, it would be perfect weakness and absurdity to provoke the resentment of them all for a shadow.

Nº IX. *Duke of ARGYLE, on the Augmentation of the Army.—1740.*

AN army, my Lords, as it is to be admitted only for the security of the nation, is to be so regulated, that it may produce the end for which it is established;—that it may be useful, without danger; and protect the people, without oppressing them.

To this purpose, my Lords, it is indispensably necessary, that the military subordination be inviolably preserved, and that discipline be indiscriminately exercised, without any partial indulgence, or malicious severities; that every man be promoted according to his desert, and that military merit alone give any pretensions to military preferments.

To make the army yet more useful, it ought to be under the sole command of one man, exalted to the important trust, by his known skill, courage, justice and fidelity, and uncontrouled, in
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the administration of his province, by any other authority; a man enabled by his experience to distinguish the deserving, and invested with power to reward them.

Thus, my Lords, ought an army to be regulated, to which the defence of a nation is intrusted; nor can any other scheme be formed, which will not expose the public to dangers more formidable than revolutions or invasions. And yet, my Lords, how widely those who have assumed the direction of affairs have deviated from this method, is well known. It is known equally to the highest and meanest officers, that those who have most opportunities of observing military merit, have no power of rewarding it; and therefore every man endeavours to obtain other recommendations than those of his superiors in the army, and to distinguish himself by other services than attention to his duty, and obedience to his commanders.

Our generals, my Lords, are only colonels with a higher title, without power, and without command: they can neither make themselves loved nor feared in their troops, nor have either reward or punishment in their power. What discipline, my Lords, can be established by men whom those who sometimes act the farce of obedience, know to be only phantoms of authority, and to be restrained by an arbitrary Minister from the exercise of those commissions which they are

invested with ? And what is an army without discipline, subordination and obedience ? What, but a rabble of licentious vagrants, set free from the common restraints of decency, exempted from the necessity of labour, betrayed by idleness to debauchery, and let loose to prey upon the people ? Such a herd can only awe the villages, and bluster in the streets ; but can never be able to oppose an enemy, or defend the nation by which they are supported.

They may, indeed, form a camp upon some of the neighbouring heaths, or pass in review with tolerable regularity :—they may sometimes seize a smuggler, and sometimes assist a constable with vigour and success. But unhappy would be the people, who had no other force to oppose against an army habituated to discipline, of which every one founds his hopes of honour and reward upon the approbation of the commander.

That no man will labour to no purpose ; or undergo the fatigue of military vigilance, without an adequate motive ;—that no man will endeavour to learn superfluous duties, and neglect the easiest road to honour and to wealth, merely for the sake of encountering difficulties,—is easily to be imagined. And therefore, my Lords, it cannot be conceived, that any man in the army will very solicitously apply himself to the duties of his profession, of which, when he has learned them,

them, the most accurate practice will avail him nothing, and on which he must lose that time which might have been employed in gaining an interest in a borough, or in forming an alliance with some speaker in parliament.

For nothing, my Lords, is now considered but parliamentary interest; nor is any subordination desired, but in the supreme council of the nation. For the establishment of this new regulation, the honours of every profession are prostituted, and every commission is become merely nominal. To gratify the leaders of the ministerial party, the most despicable triflers are exalted to an authority; and those whose want of understanding excludes them from any other employment, are selected for military commissions.

No sooner have they taken possession of their new command, and gratified with some act of oppression, the wantonness of new authority, but they desert their charge with the formality of demanding a permission to be absent, which their commander dares not deny them. Thus, my Lords, they leave the care of the troops, and the study of the rules of war, to those unhappy men who have no other claim to elevation than knowledge and bravery, and who, for want of relations in Parliament, are condemned to linger out their lives at their quarters, amuse themselves with recounting their actions and suf-

ferings in former wars, and with reading, in the papers of every post, the commissions which are bestowed on those who never saw a battle.

For this reason, my Lords, preferments in the army, instead of being considered as proofs of merit, are looked on only as badges of dependence:—nor can any thing be inferred from the promotion of an officer, but, that he is in some degree or other allied to some Member of Parliament, or the leading voters of a borough.

After this manner, my Lords, has the army been modelled, and on these principles has it subsisted for the last and the present reign: neither myself, nor any other General Officer, have been consulted in the distribution of commands, or any part of military regulations. Our armies have known no other power than that of the Secretary of War, who directs all their motions, and fills up every vacancy without opposition, and without appeal.

But never, my Lords, was his power more conspicuous than in raising the levies of last year; never was any authority more despotically exerted, or more tamely submitted to; never did any man more wantonly sport with his command, or more capriciously dispose of posts and preferments; never did any tyrant appear to set censure more openly at defiance,—treat murmurs and remonstrances with greater contempt, or with more confidence and security distribute posts among
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his slaves, without any other reason of preference than his own uncontrollable pleasure.

Surely, my Lords, no man could have made choice of such wretches for military commands, but to shew that nothing but his own private inclinations should influence his conduct, and that he considered himself as supreme and unaccountable: for we have seen, my Lords, the same animals, to-day, cringing behind a counter, and to-morrow swelling in a military dress; we have seen boys sent from school in despair of improvement, and entrusted with military command: fools that cannot learn their duty, and children that cannot perform it, have been indiscriminately promoted; the dross of the nation has been swept together to compose our new forces; and every man who was too stupid or infamous to learn or carry on a trade, has been placed, by this great disposer of honours, above the necessity of application, or the reach of censure.

Did not sometimes indignation, and sometimes pity, check the sallies of mirth, it would not be a disagreeable entertainment, my Lords, to observe in the *Park* the various appearances of these raw commanders, when they are exposing their new scarlet to view, and strutting with the first raptures of sudden elevation;—to see the mechanic new-modelling his mien, and the stripling tottering beneath the weight of his

cockade;—or to hear the conversation of these new adventurers, and the instructive dialogues of school-boys and shop-keepers.

I take this opportunity, my Lords, of clearing myself from any suspicion of having contributed, by my advice, to this stupendous collection. I only once interposed with the recommendation of a young Gentleman, who had learned his profession in two campaigns among the Muscovites, and whom yet neither his own desert, nor my patronage, could advance to a commission. And, I believe, my Lords, all the other General Officers were equally unconsulted, and would, if their advice had been asked, equally have disapproved the measures that have been pursued.

But thus, my Lords, were our new regiments completed, in which, of two hundred and fifty officers who have subsisted upon half-pay, only thirty-six have been promoted, though surely they might have pleaded a juster claim to employment, who had learned their profession in the service of their Country, and had long languished in penury, than those who had neither knowledge nor capacity, who had neither acted nor suffered any thing, and who might have been destined to the hammer or the plough, without any disreputation to their families, or disappointment to themselves. I have been told, indeed, my Lords, that to some of these officers

commissions

commissions were offered, which they refused; and for this refusal every reason is alledged but the true: some, indeed, excused themselves as disabled by age and infirmities from military service: nor can any objection be made to so just a plea; for how could those be refused, in their age, the comforts of ease and repose, who have served their country with their youth and vigour? Others there are, my Lords, who refused commissions, upon motives very different, in which, nevertheless, some justice cannot be denied. They who had long studied and practised their profession; they who had tried their courage in the breach, and given proofs of their skill in the face of the enemy, refused to obey the command of novices, of tradesmen, and of school-boys. They imagined, my Lords, that they ought to govern those whom they should be obliged to instruct, and to lead those troops whom they must range in order. But they had forgot that they had out-lived the time when a soldier was formed by study and experience, and had not heard in their retreats, that a colonel or a captain was now formed in a day; and therefore, when they saw or heard their new commanders, they retired back to their half-pay, with surprise and indignation.

But, my Lords, the follies of last year cannot be easily rectified, and are only now to be exposed, that they may not be repeated. If we
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are now to make new levies, and increase the number of our land-forces, it is, in my opinion, incumbent upon us to consider by what methods we may best augment our troops, and how we may be able to resist our foreign enemies, without exposing the nation to intestine miseries, and leaving our liberties at the mercy of the Court.

There are, my Lords, two methods of increasing our forces: the first is, that of raising new regiments; the other, of adding new men to those which already subsist.

By raising new regiments, my Lords, we shall only gratify the Minister with the distribution of new commissions, and the establishment of new dependents; we shall enlarge the influence of the Court, and increase the charge of the Nation, which is already loaded with too many taxes to support any unnecessary expence.

By the other method, of adding a hundred men to every company, we shall not only save the pay of the officers, which is no slight consideration, but what seems, if the report raised by the Ministry of our present danger be true, of far more importance, shall form the new forces, with more expedition, into regular troops; for, by distributing them among those who are already instructed in their duty, we shall give them an opportunity of hourly improvement. Every man's comrade will be his master; and every one will be ambitious of forming himself by the
example

example of those who have been in the army longer than themselves.

If it be objected, my Lords, that the number of officers will not then bear a just proportion to that of the soldiers, it may be answered, that the foreign troops, of the greatest reputation, have no greater number of officers, as every one must know, who is acquainted with the constitution of the most formidable armies of Europe. Those of Prussia, or of the various states by which we were assisted in the late war, either as *confederates* or *mercenaries*, have but few officers. And I very well remember, my Lords, that whenever they were joined by parties of our own nation, the inequality in the number of the officers produced contests and disputes.

The only troops of *Europe*, my Lords, that swarm with officers, are those of France; but even these have fewer officers, in proportion to their private men, in time of war; for when they disband any part of their forces, they do not, like us, reduce their officers to half-pay, but add them to the regiments not reduced, that the families of their nobility may not be burdened with needy dependents, and that they may never want officers for new levies.

There are many reasons, my Lords, that make this practice in *France* more reasonable than it would be in our nation. It is the chief view of their governors to continue absolute, and therefore

fore their constant endeavour to keep great numbers in dependence: it ought to be our care to hinder the increase of the influence of the Court, and to obstruct all measures that may extend the authority of the Ministry; and therefore those measures are to be pursued, by which independence and liberty will be most supported.

It is likewise to be remembered, my Lords, that a French officer is supported with pay not much larger than that of a private soldier among us; and that therefore the argument which arises from the necessity of frugality is not of the same force in both nations.

There is yet another reason why the *French* are under the necessity of employing more officers than any other nation. The strength of their armies consists in their *Gentlemen*, who cannot be expected to serve without some command. The common soldiers of the army in France are a mean, spiritless, despicable herd, fit only to drudge as pioneers, to raise entrenchments, and to dig mines; but without courage to face an enemy, or to proceed with vigour in the opposition of danger.

Their *Gentlemen*, my Lords, are of a very different character; jealous of their honour, and conscious of their birth; eager of distinction, and ambitious of preferment. They have commonly their education in the army, and have no expectations of acquiring fortunes equal to their desires,

desires by any other profession, and are therefore intent upon the improvement of every opportunity which is offered them, of increasing their knowledge, and exalting their reputation.

To the spirit of these men, my Lords, are the armies of France indebted for all their victories, and to them is to be attributed the present perfection of the art of war. They have the vigilance and perseverance of Romans, joined with the natural vivacity and expedition of their own nation.

We are therefore not to wonder, my Lords, that there is in the *French* armies an establishment for more gentlemen than in other countries, where the disparity between the military virtues of the higher and lower classes of men is less conspicuous. In the troops of that nation, nothing is expected but from the officers; but in ours, the common soldier meets danger with equal intrepidity, and scorns to see himself excelled by his officer in courage or in zeal.

We are therefore, my Lords, under no necessity of burdening our country with the expence of new commissions, which in the army will be superfluous, and in the state dangerous; as they will fill our senate with new dependents, and our corporations with new adherents to the Minister, whose steady perseverance in his favourite scheme of parliamentary subordination will be perhaps the only occasion of these new levies,

levies, or, at least, has hindered the right application of our standing troops. For, what reason, my Lords, can invention or imagination assign, why the troops, who had been for some time disciplined, were not rather sent to the assistance of Vernon, than the new marines, except that some of them were commanded by men who had obtained seats in the other House, and who, by their settled adherence and avowed fidelity to the Minister, had recommended themselves too powerfully to be rashly exposed, in the service of their country, to the bullets of the Spaniards?

So great, my Lords, has been the Minister's regard to parliamentary abilities, and so strict his gratitude to his friends, that I know of but one member of the other House that has been hazarded in this expedition; and he a hopeless abandoned Patriot, insensible of the capacity or integrity of our Ministry, and whom nothing has been able to reconcile to our late measures. He, therefore, who has never exerted himself in defence of the Ministry, was, in his turn, thought unworthy of ministerial protection, and was given up to the chance of war without reluctance.

But I hope your Lordships will concur with me in the opinion, that it is not always necessary to gratify the Ministry; but that our Country claims some part of our regard, and therefore,

therefore, that in establishing our army, we should pursue that method which may be most accommodated to our constitution, and, instead of imitating the military policy of France, follow the example of those nations by whose troops they have been conquered.

Had this scheme been hitherto followed ; had our new levies, instead of being put under the command of boys, been distributed in just proportions among the standing regiments, where they might soon have been qualified for service, by the inspection of experienced officers ; we might now have seen an army capable of awing the Court of Spain into submission ; or, if our demands had been still refused, of revenging our injuries, and punishing those who have insulted and despised us.

From an army thus raised and disciplined, detachments, my Lords, ought to have been sent on board all our fleets, and particularly that which is now stationed in the *Mediterranean*, which would not then have coasted about, from one port to another, without hurting or frightening the enemy ; but might, by sudden descents, have spread terror through a great part of the kingdom, harassed their troops by continual marches ; and, by frequent incursions, have plundered all the maritime provinces, driven the inhabitants into the inland country, and laid the villages in ashes.

There is yet, my Lords, no appearance of a peace; for our success has not enabled us to prescribe terms, and I hope we are not yet fallen so low as to receive them: it is therefore proper to form such resolutions as may influence the conduct of war, and enable us to retrieve the errors of our past measures.

The Minister, my Lords, is not without panegyrists, who may perhaps endeavour to persuade us, that we ought to resign all our understandings to his superior wisdom, and blindly trust our fortunes and our liberties to his unshaken integrity. They will, in proof of his abilities, produce the wonderful dexterity and penetration which the late negotiations have discovered, and will confirm the reputation of his integrity, by the constant parsimony of all his schemes, and the unwillingness with which he, at any time, increases the expences of the nation.

But, my Lords, it is the great duty of your high station, to watch over the Administration, and to warn those who are more immediately entrusted with the public affairs, against measures which may endanger the safety or happiness of the nation; and therefore, if I have proved to your Lordships, that to raise new regiments is dangerous to our liberties, that a multitude of officers is of no use in war, and that an army may be more expeditiously disciplined
by

by adding new men to every company, I hope your Lordships will agree to this resolution, which I have drawn up with the utmost brevity, and of which the meaning cannot be mistaken.

That the augmenting the army by raising new regiments, as it is the most *unnecessary* and most *expensive* method of augmentation, is also the most *dangerous* to the liberties of the nation.

N^o X. *Mr. ERSKINE, against Mr. PITT, on a rumour of the Dissolution of Parliament.—1784.*

I HAVE ventured to consider ourselves as re-assembled this day, after the necessary adjournment of the season, under his Majesty's solemn promise, that we should not be interrupted in our deliberations on the affairs of the *East-Indies*, and the support of the public credit, by any prorogation or dissolution of the Parliament: for if his Majesty's Answer to our late Address means any thing short of that, his Ministers who have advised and perused it, have not only abused his Royal confidence, but grossly deceived and insulted this House. For the Answer, in acknowledging the urgency of those objects mentioned in the Address, as reasons against dissolving, and likewise the expediency of proceeding on them with vigilance, most undoubtedly conveys, that the House will be permitted not merely to meet, but to meet
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for the furtherance of those objects. On the day the answer was read in this House, there were no responsible Ministers present; but, as they are *here* now, the House is intitled to know, in the most explicit and unequivocal terms, previous to the discussion of any question of India, whether they are to understand, that they are met again freely, independently, and with ultimate effect to deliberate on the affairs of India, and the other great considerations that press upon them; or, whether they are only tenants, at the will of the new Minister, to be sent back to their constituents as delinquents, unless they shall recede from every principle of constitutional policy, to which they are solemnly and publicly pledged, and shall agree to register any edict upon the subject which the new Treasury-Bench may dictate to them, however repugnant to their former opinions. For, if that should be their system, I, for one, would not give up a moment of my time to deliberation which must be fruitless, and which could end in the final execution of no permanent system of government in Asia or Europe:—if Ministers meet us only, by way of experiment, to try our opinions with the rod of dissolution hanging over our heads, as the scourge of disobedience, determined, instead of retiring on a disappointment, still to distract and disturb a government which they cannot guide, and to gain over a
future

future Parliament by the arts of cabal and corruption, which the virtue of the present has resisted, it will become us to know, not from the *Minister*, but from the *Throne* itself, whether this Country is to be governed by men whom the House of Commons can confide in, or whether we, the People of England's Representatives, are to be the sport and foot-ball of any junto that may hope to rule over us, by an unseen and unexplorable principle of government, utterly unknown to the Constitution. This is the great question, to which every public-spirited Citizen of this Country should direct his view—A question which goes very wide of the policy to be adopted concerning India, about which very wise and very honest men, not only might, but have and did materially differ. The total removal of all the executive Servants of the Crown, while they are in the full enjoyment of the confidence of that House, and, indeed, without any other visible or avowed cause of removal, than because they do enjoy that confidence, and the appointment of others in their room, without any other apparent ground of selection than because they enjoyed it not, is, in my mind, a most alarming and portentous attack on the public freedom; because, though no outward form of the government is relaxed or violated by it, so as instantly to supply the constitutional remedy of opposition, the whole spirit and energy of the
government

government is annihilated by it. That the prerogative of choosing Ministers belongs to, and ought to belong to his Majesty, and let no man hope to hear from me a single expression that strikes at the just independence of the Crown : but as all its prerogatives, like our own privileges, are but trusts for the people, and as none of them can be abused, but by the agency of others ; I persuade myself that they will look to those who in an evil hour have given the Crown the most responsible advice on the subject alluded to, by accepting of all the posts of executive power, merely, as it should seem, because the voice of the People's Representatives in this House has been recently, repeatedly, and loudly lifted up against them. I ventured to express my astonishment on a former day, when the First Lord of the Treasury was not in his place, that when the affairs of India were the first and most important objects of the King's government, he could venture to take upon him the conduct of that government, in a House of Commons adverse to all his ideas and principles on the subject, and the majority of which he had, on the same subject, loaded with the most opprobrious epithets ; an expression he thought himself at liberty to use, because, after a great and respectable majority had assented to the bill upon the second reading, and in the Committee, the Right Honourable Gentleman did
 still,

still, on the third reading, consider the friends of it collectively as supporting a desperate faction, in an attempt to maintain themselves in power at the expence of the most sacred chartered rights of individuals, and the most valuable interests of the public, with many other galling expressions. My objection to this language, as I explained it when I first stated it, is not so much because it was unparliamentary or unprecedented, though I thought it sufficiently so; it was not an arraignment of the Right Honourable Gentleman for using it, since on most contested public measures the same sort of language was but too frequent from both sides of the House: but I did, as we may all remember, express my utter astonishment, which I again express (for it grows on me every instant), that the Right Honourable Gentleman should hope to continue one day the Minister in a House of Commons, while that majority whose principles of government he has thus so recently reprobated continues to subsist:—that was and continues to be my observation; and I am not afraid to trust the justice and propriety of it to the good sense, the dignity, and the memory of the House.

If the Right Honourable Gentleman retains his own opinions, and if the House likewise retains its own, is it not evident that he came into office without the most distant prospect of

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serving the public? Is it not evident that he has brought on a struggle between executive and legislative authority, at a time when they are pointing, with equal vigour, unity, and effect, to the common interests of the nation? Is it not palpable, that instead of giving stability, dignity and authority to the government of this country, at a time when its affairs are falling into ruin, in every part of the world, from the want of them, he has crippled and enervated all its operations, stirred dangerous questions between the prerogatives of the crown and the privileges of the people, and wasted the important hours of deliberation in this House, in bringing things back to the very condition they were in originally, when he stepped forth to disturb them? Can the Right Honourable Gentleman, or any body for him, explain to the House, why the Crown, by its answer to our address, should promise not to disturb our proceedings, yet should at the same moment change the whole executive authority of government, and place it in the hands of persons adverse to every principle they had pledged themselves to adopt, on the very measure they were desired to proceed upon? Is it not plain to the meanest understanding, that it struck a palsy into every member of executive power, which could not and ought not to have any energy or strength, when deprived of that vital spirit of popular government,

vernment, which could only circulate life and heat through the medium of the People's Representatives in this House?

I trust that whenever the Crown of England removes its Ministers, enjoying the full confidence of the Commons, and chooses so strange and inauspicious an hour for that removal, as when, upheld by that confidence, they were planning great and necessary systems of government; and when it not only chose that season for removing them, but put into their room persons whose principles on the same objects the People's Representatives had recently rejected and condemned; I hope, whatever may be our differences on other subjects, that we shall be unanimous in considering that moment as a great and alarming crisis, in which the freedom of the government is to be decided on for ever: and that though we should proceed like prudent and virtuous men, with foresight and moderation, taking care not to touch any of the forms of the government, yet that we should convince the Crown by our conduct, that the wisest and ablest individual who shall ever venture to stand upon *secret influence*, against the confidence of this House, will find that his abilities, whatever they may be, or whatever they may be fancied, instead of being a support and protection to him, will only be like the convulsions of a strong man in the agonies of disease, which exhaust the vital spirits faster than

the fainter struggles of weakness, and bring on death the sooner.

Such, in a few hours, I trust will be the fate of the Right Honourable Gentleman at the head of the present government: indeed he never compared, in his own mind, his first appearances in this House, when, under the banners of a Right Honourable Gentleman, he supported the genuine cause of liberty, with his present melancholy ridiculous situation in it, than he was drawn into an involuntary parody of the scene of Hamlet and his Mother in the closet.

Look here upon this picture, and on this :
 See what a grace was seated in this youth ;
 His father's fire ;—the soul of *Pitt* himself,
 A tongue like his to soften or command ;
 A station like the Genius of England,
 New lighted on this top of Freedom's hill ;
 A combination and a form indeed,
 Where every God did seem to set his seal
 To give his country earnest of a Patriot.

Look ye now what follows :

Dark, secret influence, like a mildew'd ear,
 Blasting this public virtue. Has he eyes ?
 Could he this bright assembly leave to please,
 To batten on that bench !!!

The Right Honourable Gentleman may profit
 the less from these observations, from believing
 that

that I seek them, and that I have a pleasure in making them : if he thinks so, I can assure him, upon my honour, that he is mistaken ;—so very much mistaken, that the inconveniences which the country suffers at this moment, from the want of a settled government, are greatly heightened to my feelings, from the reflection that they are increased by his unguided ambition. Our fathers were friends ; and I was taught, from my infancy, to reverence the name of PITT ;—an original partiality, which, instead of being diminished, was strongly confirmed by an acquaintance with the Right Honourable Gentleman himself, which I was cultivating with pleasure, when he was taken from his profession into a different scene. Let him not think that I am the less his friend, or the mean envier of his talents, because they have been too much the topic of panegyric here already, and both I and the public are now reaping the bitter fruits of these intemperate praises. “ It is good,” said Jeremiah, “ for a man to bear the yoke in his youth ;” and if the Right Honourable Gentleman had attended to this maxim, he would not, at so early a period, have declared against a subordinate situation ; but would have lent the aid of his faculties, to carry on the affairs of this country, which wanted nothing but stability to render them glorious, instead of setting up at once for himself to be the first ; because he had too

hastily declared against being subordinate, and doing it under circumstances, which could not but for a time at least (the spirit of the House would take care it should not be long) disturb and distract all the operations of government, and disappoint the most solid interests of the public.

How very different has been the progress of my Honourable Friend that sits near me, who was not hatched at once into a Minister, by the heat of his own ambition, but who, as it was good for him to do, in the words of the Prophet, " bore the yoke in his youth," passed through the subordinate offices, and matured his talents, in long and laborious oppositions; arriving, by the natural progress of his powerful mind, to a superiority of political wisdom and comprehension, which this House had long, with delight and satisfaction, acknowledged! To pluck such a man from the councils of his country in the hour of her distresses, while he enjoyed the full confidence of the House to give effect to vigorous plans for her interests; and to throw every thing into confusion, by the introduction of other men, introduced, as it should seem, for no other purpose than to beget that confusion, is an evil that, if we cannot rectify, we may at least have leave to lament.—These evils are, however, imputed, by the Right Honourable Gentleman and his Colleagues, to another source;—

source;—to the Bill for the regulation of the East Indies, from the mischiefs of which they had stepped forth to save the country,—a language most indecent in this House of Commons,—which thought it their duty to the public to pass it by a majority of above an hundred; but which was, however, to be taken to be destructive and dangerous, notwithstanding that authority, because it had been disapproved by a majority of eighteen votes in the Lords, some of whom I reverence as conscientious and independent opinions; but the majority of which small majority voted upon principles which the forms of the House will not permit me to allude to, farther than to say, that individual *Noblemen* are not always *Gentlemen*.

Nº XI. MARCUS ÆMILIUS LEPIDUS, *against*
SYLLA.—*Frag. Sallust.*

WHEN I reflect, Romans, upon that clemency and probity of yours which have exalted you to the highest pitch of greatness and renown, over the face of the whole world, and, at the same time, carry my views to the usurpation of *Sylla*, I am filled with the utmost dread and horror: for I am apprehensive that your backwardness to believe any one guilty of such crimes as you cannot think of without the highest abhorrence, will lead you unawares into a fatal snare

(especially since he places all his confidence in treachery and dissimulation, and draws his whole security from a persuasion, that if your apprehensions of him fall short of the blackness of his designs, he may thence be enabled to reduce you to so low a condition, as to give up the defence of your liberty);—or, if you should foresee the dangers that threaten you, I am afraid you will be more engaged in guarding against them, than in executing vengeance upon the author of them.

The instruments of his dominion are not only men of rank and figure, but such as have before them worthy examples of illustrious ancestors to copy after:—and yet these very men are now purchasing the power of tyrannizing over you, at the expence of their own liberty; and choose those conditions upon injurious terms, rather than freedom under the best system of equal laws.—Amazing degeneracy and baseness!—The illustrious offspring of the *Æmilii*, the *Bruti*, and the *Lutatii*, born to demolish the virtuous acquisitions of their brave ancestors! For what was their motive to take up arms against *Pyrhus*, against *Hannibal* and *Antiochus*, but the defence of liberty, and the secure enjoyment of each Roman's property,—and that the laws only, and not the will of any one man, might be the controul of our actions?—But all these advantages this outrageous plunderer,—this *Romulus*, detains as a prey taken from a foreign foe;—
and,

and, unsatiated as he is with the destruction of so many armies, the slaughter of a Consul and other commanders, who sell the victims of his triumphant arms, his successes add fuel to his rage,—contrary to other conquerors, whose prosperous fortune generally melts their fury into pity and compassion.—And yet he stops not here :—he has even decreed punishments to children yet unborn, whose unhappy lot it is, to have their misery fixed and determined before their birth. A singular instance of cruelty, not to be met with in any of the histories of mankind !—And this savage oppressor exults and rages hitherto with impunity ;—impunity derived only from the enormous flagrancy of his crimes : whilst you are deterred from vindicating your liberty, by the impotent fear of adding to the weight of your bondage.—But such apprehensions must not discourage Romans ;—you must rouse to action, and resist the usurpation, or all you have will become the spoil of this oppressor :—think not of delay,—nor expect relief from prayers or wishes.—But perhaps you flatter yourselves, that now, at last, satiated with power, or ashamed of his tyranny, he will tamely resign what he has violently ravished from you.—Sylla resign !—that is too dangerous a step for him to take, who has proceeded so far as to esteem no measures glorious, but what conduce to his safety, and to account every action honourable, that can any

way support his tyranny : from him, therefore, it is in vain to expect that sweet tranquillity and peace, which, when attended with liberty, many virtuous men prefer to the blaze of honours, acquired by a life of hurry and fatigue.—Such is now your situation, my countrymen, that you must either resolve to hold the reigns of government, or submit to the yoke of slavery ;—either awe and terrify your opposer, or be awed and terrified by him. What else remains ?—Is there any thing, human or divine, that has escaped his pollution ?—The people of Rome, not long since Lords of the World, now robbed of their authority, their dignity and jurisdiction, reduced as they are to a state of insignificancy and contempt, are denied that small pittance of corn which is the usual allowance of slaves. Our numerous allies and friends of *Latium* are, by the tyranny of a single person, bereft of those privileges of Roman citizens which you thought fit to confer upon them, for their great services and brave exploits : and the minions of his power have seized, as the reward of their villany, the paternal inheritances of the unoffending Plebeians. Behold all law, all jurisdiction, the revenue, the provinces, and tributary kings, all brought under the sovereign arbitration of one man ! Nay, even the life and death of every citizen are at his absolute disposal ; and you have seen him offering human victims, and, at the

the tomb of his deceased friends, shedding the blood of Roman citizens.—

Are you men?—What then remains but resolutely to exterminate the tyranny, or bravely die in the virtuous attempt? since, by the decree of nature, all must die at last; nor can even bulwarks of iron secure us from the stroke of death; and none but a dastard, of the most effeminate spirit, would tamely yield to the extremity of misery, without making some effort to repel the calamity.

But whilst I lament to see my country become the spoil of a faction, Sylla represents me as a seditious man; he tells you that I love discord, and would promote wars and tumults:—and he has this reason for it, because I demand the restitution of the laws of peace!—Yes, it must be so; because there is no other way left to secure your authority, but to permit Vettius Picens, and Cornelius the scribe, with infamous profusion, to squander the substance which others have acquired with honour and reputation,—to give your approbation of the proscriptions of citizens, guiltless of all crimes, but that of having an affluent fortune,—to allow the torturing of so many illustrious men, the depopulation of the city by banishment and slaughter, and the exposing to sale the wealth of the miserable citizens; or lavishly bestow it on his creatures, as was the spoil taken from the people of Cimbria.

He farther objects against me, that I myself am in possession of a share of the goods of the proscribed.—Yes, I am :—but, that I am, is one of the highest instances of his tyranny ;—for neither could I, nor any other Roman, have been secure, if, in this case, we had strictly adhered to the rules of equity. However, those things which, under the awe of his tyranny, I was constrained to purchase, I am ready to restore to the lawful owners : for it is far from my intention to enrich myself with the spoils of my fellow-citizens.—No ;—let it suffice, that we have endured other dire effects of our tumultuous rage and infatuations :—Roman legions encountering Roman legions ; and those weapons which were before employed only against foreign foes, now turned against ourselves. It is time, at last, to close the scene, and put an end to this tragical outrage and villainy.—But, tragical as it is, Sylla is so far from feeling any remorse, that he glories in the perpetration of it ; and wants only more power, to proceed to higher acts of tyranny. But it is not so much my concern what opinion you entertain of his character ; my fear is, lest you should want resolution to exert yourselves speedily ; and, whilst you look upon each other in doubt and suspense, to see who will lead to the onset, you should unhappily be anticipated ; not so much by his superior strength, which is greatly impaired, as through your own indolence

indolence and inactivity ; and so fall absolutely under his power, before you attempt to reduce him under yours, and even before he has the confidence to flatter himself with the hopes of such success. For, except a few corrupted minions of his power, *who* approves of his measures ? Nay, *who* does not wish a total change and revolution, except in that one instance of the spoils of victory ?—The soldiers, perhaps you will say.—Yes, the soldiers doubtless, whose blood was spilt to enrich Tarrula and Scyrrus, the vilest of slaves ! Or, will those espouse his interest, to whom, in competition for magistracy, even Fusidius was by him preferred ?—Fusidius, that detestable Pathic, that infamous disgrace to every high office to which he has been elevated. These reflections give me room to hope for assistance from the victorious troops, who must at length be sensible, that they have got nothing by a long scene of hardships, by all their wounds and bruises, but an oppressive tyrant : unless they will say that they took the field to demolish the tribunitial power, that very power raised and supported by the virtue of their ancestors ; or to divest themselves of all jurisdiction and authority.—Gloriously, indeed, they were recompensed for their past services, when, sent back to their woods and morasses, all the portion they could obtain was hatred and reproach, whilst the spoils of conquest were engrossed by a few !—

How comes it then that such numbers follow him; that he still appears with an exulting spirit, and confident mien?—How!—Because success palliates his villany. The moment fortune turns against him, he will become as much the object of contempt, as he is now of terror. There can be no other reason, unless his declaration of establishing peace and harmony; for those specious names has he given to treachery and parricide.—Nay, he has the assurance to affirm, that the Romans can never see an end of their civil wars, unless the expulsion of the Plebeians from their paternal inheritances, the most cruel of all depredations that can be committed upon fellow citizens, be confirmed;—unless all that judicial power and authority, which was once lodged in the Roman people, be vested in himself alone.—If you allow *this* to be establishing peace and harmony, why, then, give your assent to every method of embarrassing the commonwealth;—then, approve its downfall;—tamely submit to the terms of an imperious master;—embrace this peaceable settlement, on the easy condition of bondage and servility;—and, by no means, let posterity want a precedent to instruct them, how the people of Rome may be so wrought upon, as to purchase their own ruin with the price of their own blood!—

For myself, though the high authority with which I am invested, is sufficient to support the
honour

honour of my family, my own dignity, and the protection of my person; yet, never has it been the aim and intention of my life, to pursue my own private interest only:—the liberty of my country, though attended with perils, is to me far more inviting, than a state of subjection, with all its allurements of tranquillity.

And, if now, my countrymen, you approve of my sentiments, come on;—and, with the help of the propitious Gods, rise up and follow your chief;—follow Marcus Æmilius your Consul, and he will shew you the way to recover your liberty!—

Nº XII. *Duke of ARGYLE, on the Pension Bill.*—1740.

MY LORDS,

WE are now upon a bill for putting an end to, or at least preventing one sort of corruption in the other House; and from the opposition the bill meets with here, and the imaginary dangers that are suggested for supporting, or rather excusing that opposition; those who are not personally acquainted with the Noble Lords who have spoke upon that side of the question, would, I think, be apt to suppose their opinion to be, either that corruption is now become a necessary evil, without which the forms of our government could not be preserved,—or
that

that it is an evil of very little consequence, and not at all inconsistent with the substance of a free government. Corruption, my Lords, has always hitherto been allowed to be vile, to be dangerous. I have, for my own part, discouraged it in all stations : I shall always disdain the obedience, or the parasitical sort of assent that is to be gained only by corruption ; and I have always been sorry when I observed it was not equally discouraged by others ; for, if it were no way encouraged by those in high stations, it would never be possible for the mode in any country to cover that infamy which naturally attends the corrupted ; nor would the quality of the offender ever atone for the wretched meanness of the offence.

I need not trouble your Lordships with explaining what is meant in this country, by a legal administration : every one knows what it is ;—every one knows, that it may be easily supported without corruption.—Ministers, my Lords, (for, according to our constitution, we ought always to have a great many of them) that have nothing in view but the public happiness, and who have wisdom and discernment enough to pursue that steadily, may despise the assistance or approbation of those who assist or approve, only because they are paid for so doing. Such an administration will always have the majority of the nation on its side, and consequently may, without any corrupt means,
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have always a majority in Parliament. Therefore a legal and wise administration can never stand in need of corruption, for the exercise of any of its functions; but an illegal one, an administration consisting of one sole and arrogant minister, who will admit of no partner or assistants, but such as implicitly submit to his direction, can never be supported without corruption:—It is against law,—and—against law it must be supported. Under such an administration, indeed, the forms of our government cannot be preserved, without evading or violating our laws against corrupt practices; but under such an administration, while it lasts, the substance of our constitution must be suspended, and we had better be without the forms; for preserving the forms of a free government will only serve to lull and keep the people asleep, till their chains are riveted, and till one sole Minister has so firmly established his power, that it may be easily transmitted to, or taken up by another. Many of our Princes, and their sole Ministers, have in vain endeavoured to establish an arbitrary government, without the assistance or show of a Parliament: they have endeavoured to do it by open force; and by open force they have been all disappointed, and the Ministers often hanged. But, by the slow and silent approaches of corruption, especially now the Crown has got such a variety of means in its power, an
arbitrary

arbitrary government, more destructive and more expensive than the other, may be established by the authority, and supported by the shadow of a Parliament; for if a Prince, or his sole Minister, should ever have it in his power to have always a corrupt majority in each House of Parliament, a *British* Parliament will be no more than a *Turkish* Divan.

Corruption is therefore, my Lords, of all dangers the greatest our constitution can be exposed to, and the most to be apprehended. Its approach is imperceptible; but its blow, if not prevented, is fatal; and you cannot prevent its blow, unless you prevent its approach. The laws now in being for excluding pensioners from having seats in the other House were designed as a safe-guard against corruption's entering, in one shape, at least, within the walls of that House; and when we are considering whether those laws ought to be enforced, we have no occasion for examining into late measures, or for supposing that any late practices have been made use of for corrupting the Members of either House. We have now as much reason to guard against the approach of corruption, as we had when those laws were made: therefore, we are now to consider only the laws themselves; and if they appear to be insufficient, they ought to be amended, whether any corrupt practices have lately been made use of or not. That these laws are insufficient for the end intended, must, I think, plainly appear
to

to every one that peruses them. There are penalties, it is true, inflicted upon pensioners that shall presume to sit or vote in the other House; but it is evident that those penalties can never be recovered, because the fact can never be proved. A pension or a bribe may be given in such a manner, that even he who gives it can be no direct witness against the receiver; and it is always given in such a secret manner, that the criminal may have good reason to think his crime can never be discovered. For this reason, no penalty you can inflict, will ever have a great effect; and this makes it necessary, in cases of suspicion, to require an oath from the party suspected.—

I shall not say, my Lords, that the oath required by this bill will have all the effect that could be wished: there may be some so abandoned, as to despise the religious ceremony of an oath.—But it will have an effect upon a great many; and even the most abandoned will be shy of denying their having a pension upon oath, in the very face, perhaps, of the man who pays them their pension. Nay, even prudence itself will make men shy of being guilty of perjury, lest the concealment of their crime should afterwards be imputed to them as a favour, and made use of as a handle for obliging them to do as much dirty work afterwards, without a pension, as they had done before, for the sake of a pension. It is an old and true proverb, that “when I trust a man with my secret, I make him my master.”

master." An avaricious, or an extravagant necessitous man may accept of iniquitous wages from a Minister; and yet he would not, perhaps, choose to be such an absolute slave to that Minister, as he must be, should he put it in his power to convict him of perjury. Therefore, the oath prescribed by this bill will certainly have a very great effect; and as the laws proposed to be enforced by this bill, evidently appear to be insufficient, this method of enforcing them ought to be chosen, at least till a more effectual one can be thought on.

What the Noble Lords mean by present danger, when they say we are in no present danger from corruption, I cannot comprehend. . My Lords, it is an evil we always have been, and always must be, in danger of. It has often been practised;—it will always be practised, as often as ambition in a Prince, or wickedness or weakness in a Minister, renders it necessary for him to have recourse to such an infamous practice. We may sometimes be said to be in no present danger of an invasion; yet would not he be looked on as a madman, who should make that an argument for not repairing our navy, especially if, upon inquiry, it should appear to be unfit for service?—

Without finding fault with any late measures, without accusing any one in the administration, I will affirm, my Lords, that we are now
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in a greater danger from corruption, than we were either in the fourth or fifth of Queen *Anne*, or in the first of his late Majesty's reign; for the more power the Ministers of the Crown have to corrupt, whether they make use of that power or no, the more danger we are in from corruption; and every one knows, that the Ministers of the Crown have now a much greater power to corrupt, than they had at either of those periods. This should make us resolve in time to take all the methods that can be thought of, for guarding against the use of that power; for it is already so great, that if we should have the misfortune to fall under a Prince or Administration that will make use of it, I fear it would then be impossible for us to guard against it. On the contrary, if the means of corruption now in the power of the Crown, should be thought insufficient for securing a perpetual corrupt influence over both Houses of Parliament, such an administration would take hold of every grievance, every war, every misfortune, the nation could be exposed to, for increasing those means, in order to render the effect infallible; and unless a most extraordinary spirit of virtue, as well as jealousy, should begin to exert itself, I am afraid it would be impossible, as the laws stand at present, to prevent their success, by any legal or peaceable method. For this reason, my Lords, I look upon the present question to be a sort of
trial

trial of skill, the fate of which is to determine, whether or no our constitution is hereafter to be destroyed by corruption, and the people reduced to the fatal necessity of endeavouring to restore it by the sword. If this should ever come to be the unlucky fate of this nation, those who now oppose our making use of legal means for preserving our constitution, whilst it is yet in our power, will have no great reason to rejoice in their past conduct.—

Let us consider, my Lords, the vast sums of money that are now at the disposal, or under the direction of the Crown; the infinite number of lucrative posts, places and employments, most of them unknown to our ancestors, now depending upon the sole and arbitrary pleasure of the Crown; and the great variety of penal laws, by one or other of which the most innocent may be made to suffer, the most cautious may be entrapped, and from which the most guilty may be screened, by virtue of that dispensing or mitigating power, which, with respect to many of them, is now lodged in the officers of the Crown: let us, I say, my Lords, consider these things; and we must acknowledge that the present danger we are in, of having our Parliament converted into a *Turkish* Divan, is far from being imaginary; and when we are under such well-grounded apprehensions, shall we rack our invention for visionary dangers, in order to excuse our agreeing

ing to any method for guarding against a danger so real, and which may, upon the first change of ministers, or measures, become inevitable, and irresistible?—

I must confess, my Lords, I do not know what the Noble Lord means, when he says the balance of our constitution will be destroyed, by means of that separate and distinct new power, which, by this bill, is to be lodged in the other House. I do not know of any power that is by this bill to be lodged in the other House, but the power of turning a man out, that ought not, that cannot, by the laws now in being, sit or vote there; and this is a separate and distinct power, which that House now enjoys, and which has been always allowed. This bill can, therefore, make no alteration in what the Noble Lord calls the balance of our constitution. But, if by this bill, or some such bill, we do not prevent corrupt and mercenary slaves from entering into that House, I can foresee where the balance of our constitution will soon come to be:—it will soon come to be lodged in the pocket of the Prime Minister for the time being; and if our liberties and privileges depend upon that balance, they will then be lodged in the same place, which, in my opinion, is the worst repository they can be lodged in.

I therefore hope that your Lordships will, by passing this bill, take care that no Prime Minister

nister shall ever be able to get the balance of our constitution into his pocket ;—but I must here observe that what is called the balance, and indeed the security of our constitution, consists not in the power which any of the three branches of our legislature has over itself, or any of its own members, but in no one of them having a power over either of the other two. As the three branches of our legislature are distinct, they ought to be independent ; at least they ought to have no dependency but what proceeds from the public good, and the mutual happiness of the three : for, if any one of them should ever, by force or corruption, get the absolute direction or command of the other two, our constitution will then be undone, though the forms of it might, perhaps, be preserved, in order to deceive the vulgar and ignorant. This is the misfortune intended to be guarded against by this bill ; and it is not of late years only, that this good intention has been set on foot. In the end of this late Queen's reign, there was just such another bill brought into this House, which, at that time, met with so good a reception here, that it was thrown out but by one vote ; and its meeting with that fate, was occasioned by the fault of one Noble Lord, who, at the time the question was put, happened to be in the Court of Requests, buying a pen-knife, with two proxies in his pocket.

I shall

I shall acknowledge, my Lords, that I do not think the bill now before us so perfect as it ought to be;—but all its defects may, I think, be easily remedied, by proper clauses and amendments, in the Committee; and if your Lordships go into a Committee upon it, I shall contribute the little I can towards making it a perfect bill: I shall probably offer some clauses, and particularly, I think it will be necessary to add one for punishing the corrupter as well as the corrupted. It is criminal to receive, but much more criminal to give a bribe; and therefore the latter ought to be more severely punished; the very attempt ought to be severely punished: and this, perhaps, would be as effectual a method as any, to prevent the committing of the crime; for if it were made penal to offer, directly or indirectly, to give or receive a bribe, or corrupt pension, the practice would become extremely dangerous, because he that offers cannot be beforehand assured, that the other will not, instead of accepting, become an evidence against him. In short, my Lords, if the Commons were serious, when they passed and sent us up this bill, we ought to assist them as much as we can in purging their assembly, or at least in keeping it clean, from all corruption. Whether they were serious or not, is, indeed, what I shall not determine; for I must confess, I have some suspicions, when I consider, that this bill was passed unanimously in that very assembly, which soon after disagreed to a motion

for bringing in a bill to exclude placemen from having seats in their House. There is such an affinity between a pension and a sinecure place with a good salary, depending upon the pleasure of the Crown, that I am not quick-sighted enough to discern the difference; and therefore I cannot see the reason, why any Member of the other House, that was seriously resolved to exclude pensioners from that Assembly, should disagree to the bringing in of a bill for excluding at least some sorts of placemen. But, my Lords, if the other House, or any part of it, was not serious when they passed this bill, I think we should make them so, by sending it back with such additions and amendments as they can find no shadow of reason for disagreeing to. By this means we may get a bill passed into a law, which will be of infinite service for securing our constitution, and which we could not perhaps have got their concurrence in, if the bill had first been modelled and brought in here.

N^o XIII. *The second Olynthiac of DEMOSTHENES.*

I AM by no means affected in the same manner, Athenians! when I review the state of our affairs, and when I attend to those speakers who have now delivered their sentiments. They insist that we should punish Philip: but our affairs, situated as they now appear, warn us to
guard

guard against the dangers with which we ourselves are threatened. Thus far therefore I must differ from these speakers, that I apprehend they have not proposed the proper object of your attention. There was a time indeed, I know it well, when the State could have possessed her own dominions in security, and sent out her armies to inflict chastisement on Philip; I myself have seen that time when we enjoyed such power: but now, I am persuaded we should confine ourselves to the protection of our allies. When this is once effected, then we may consider the punishment his outrages have merited: but, till the first great point be well secured, it is weakness to debate about our more remote concerns.

And now, Athenians! if ever we stood in need of mature deliberation and counsel, the present juncture calls aloud for them. To point out the course to be pursued on this emergency, I do not think the greatest difficulty: but I am in doubt in what manner to propose my sentiments; for all that I have observed, and all that I have heard, convinces me, that most of your misfortunes have proceeded from a want of inclination to pursue the necessary measures, not from ignorance of them. Let me intreat you, that, if I now speak with an unusual boldness, ye may bear it; considering only, whether I speak truth, and with a sincere intention to advance your

future interests : for you now see, that by some orators, who study but to gain your favour, our affairs have been reduced to the extremity of distress.

I think it necessary, in the first place, to recall some late transactions to your thoughts.—You may remember, Athenians ! that about three or four years since, you received advice that Philip was in Thrace, and had laid siege to the fortress of Heræa. It was then the month of November. Great commotions and debates arose. It was resolved to send out forty gallies ; that all citizens under the age of five and forty, should themselves embark ; and that sixty talents should be raised. Thus it was agreed : that year passed away ; then came in the months July, August, September. In this last month, with great difficulty, when the mysteries had first been celebrated, you sent out Charidemus, with just ten vessels, unmanned, and five talents of silver. For when reports came of the sickness and the death of Philip (both of these were affirmed), you laid aside your intended armament, imagining that at such a juncture there was no need of succours. And yet this was the very critical moment ; for, had they been dispatched with the same alacrity with which they were granted, Philip would not have then escaped, to become that formidable enemy he now appears.

But what was then done cannot be amended. Now we have the opportunity of another war ;
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that war I mean, which has induced me to bring these transactions into view, that you may not once more fall into the same errors. How then shall we improve this opportunity? This is the only question. For, if you are not resolved to assist with all the force you can command, you are really serving under Philip, you are fighting on his side. The Olynthians are a people whose power was thought considerable. Thus were the circumstances of affairs: Philip could not confide in them: they looked with equal suspicion upon Philip. We and they then entered into mutual engagements of peace and alliance. This was a grievous embarrassment to Philip, that we should have a powerful state confederated with us, spies upon the incidents of his fortune. It was agreed, that we should by all means engage this people in a war with him. And now, what we all so earnestly desired, is effected: the manner is of no moment. What then remains for us, Athenians! but to send immediate and effectual succours, I cannot see. For besides the disgrace that must attend us, if any of our interests are supinely disregarded, I have no small apprehensions of the consequence (the Thebans affected as they are towards us, and the Phocians exhausted of their treasures), if Philip be left at full liberty to lead his armies into these territories, when his present enterprises are accomplished. If any one among you can

be so far immersed in indolence, as to suffer this, he must choose to be witness of the misery of his own country, rather than to hear of that which strangers suffer; and to seek assistance for himself, when it is now in his power to grant assistance to others. That this must be the consequence, if we do not exert ourselves on the present occasion, there can scarcely remain the least doubt among us.

But as to the necessity of sending succours, this, it may be said, we are agreed in; this is our resolution. But how shall we be enabled? that is the point to be explained. Be not surprised, Athenians! if my sentiments on this occasion seem repugnant to the general sense of this assembly. Appoint magistrates for the inspection of your laws: not in order to enact any new laws; you have already a sufficient number; but to repeal those whose ill effects you now experience. I mean the laws relating to the theatrical funds (thus openly I declare it), and some about the soldiery. By the first, the soldier's pay goes, as theatrical expences, to the useless and inactive; the others screen those from justice who decline the service of the field, and thus damp the ardour of those disposed to serve us. When you have repealed these, and rendered it consistent with safety to advise you justly, then seek for some person to propose that decree, which you are all sensible the common good requires.

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But till this be done, expect not that any man will urge your true interests, when, for urging your true interest, you repay him with destruction. Ye will never find such zeal, especially since the consequence can be only this : he who offers his opinion, and moves for your concurrence, suffers some unmerited calamity. But your affairs are not in the least advanced : nay, this additional inconvenience must arise, that for the future it will appear more dangerous to advise you, than even at present. And the authors of these laws should also be the authors of their repeal : for it is not just that the public favour should be bestowed on them who, in framing these laws, have greatly injured the community ; and that the odium should fall on him, whose freedom and sincerity are of important service to us all. Until these regulations be made, you are not to think any man so great, that he may violate these laws with impunity ; or so devoid of reason, as to plunge himself into open and foreseen destruction.

And be not ignorant of this, Athenians ! that a decree is of no significance, unless attended with resolution and alacrity to execute it. For were decrees of themselves sufficient to engage you to perform your duty ; could they even execute the things which they enact ; so many would not have been made to so little, or rather to no good purpose ; nor would the insolence of Philip

have had so long a date. For, if decrees can punish, he hath long since felt all their fury. But they have no such power : for though proposing and resolving be first in order, yet, in force and efficacy, action is superior. Let this then be your principal concern ; the others you cannot want : for you have men among you capable of advising, and you are of all people most acute in apprehending. Now, let your interest direct you, and it will be in your power to be as remarkable for acting. What season indeed, what opportunity do you wait for, more favourable than the present ; or when will you exert your vigour, if not now, my countrymen ? Hath not this man seized all those places that were ours ? Should he become master of this country too, must we not sink into the lowest state of infamy ? Are not they whom we have promised to assist, whenever they are engaged in war, now attacked themselves ? Is he not our enemy ? Is he not in possession of our dominions ? Is he not a barbarian ? Is he not every base thing words can express ? If we are insensible to all this, if we almost aid his designs, Heavens ! can we then ask to whom the consequences are owing ? Yes, I know full well, we never will impute them to ourselves. Just as in the dangers of the field, not one of those who fly will accuse himself ; he will rather blame the general, or his fellow-soldiers : yet every single man
that

that fled was necessary to the defeat: he who blames others might have maintained his own post; and, had every man maintained his, success must have ensued. Thus then, in the present case, is there a man whose counsel seems liable to objection? Let the next rise, and not inveigh against him, but declare his own opinion. Doth another offer some more salutary counsel? Pursue it, in the name of Heaven!—"But then it is not pleasing."—This is not the fault of the speaker, unless in that he hath neglected to express his affection in prayers and wishes. To pray is easy, Athenians! and in one petition may be collected as many instances of good fortune as we please. To determine justly, when affairs are to be considered, is not so easy. But what is most useful should ever be preferred to that which is agreeable, where both cannot be obtained.

But if there be a man who will leave us the theatrical funds, and propose other subsidies for the service of the war, are we not rather to attend to him? I grant it, Athenians! if that man can be found. But I should account it wonderful, if it ever did, if it ever can happen to any man on earth, that, while he lavishes his present possessions on unnecessary occasions, some future funds should be procured, to supply his real necessities. But such proposals find a powerful advocate in the breast of every hearer. So that nothing is

so easy as to deceive one's self; for what we wish, that we readily believe: but such expectations are oftentimes inconsistent with our affairs. On this occasion, therefore, let your affairs direct you; then will you be enabled to take the field: then will you have your full pay. And men whose judgements are well-directed, and whose souls are great, could not support the infamy which must attend them, if obliged to desert any of the operations of a war, from the want of money: they could not, after snatching up their arms, and marching against the Corinthians and Magareans, suffer Philip to enslave the states of Greece, through the want of provisions for their forces.—I say not this wantonly, to raise the resentment of some among you:—no; I am not so unhappily perverse, as to study to be hated, when no good purpose can be answered by it. But it is my opinion, that every honest speaker should prefer the interest of the state to the favour of his hearers. This (I am assured, and perhaps you need not be informed) was the principle which actuated the public conduct of those of our ancestors who spoke in this assembly (men whom the present set of orators are ever ready to applaud, but whose example they by no means imitate): such were Aristides, Nicias, the former Demosthenes, and Pericles. But since we have had speakers, who, before their public appearances, ask you, “What do you desire?”

desire? what shall I propose? how can I oblige you?" the interest of our country hath been sacrificed to momentary pleasure and popular favour. Thus have we been distressed; thus have these men risen to greatness, and you sunk into disgrace.—

And here let me intreat your attention to a summary account of the conduct of your ancestors, and of your own. I shall mention but a few things, and these well known: for, if you would pursue the way to happiness, you need not look abroad for leaders; our own countrymen point it out. These our ancestors, therefore, whom the orators never courted, never treated with that indulgence with which you are flattered, held the sovereignty of Greece, with general consent, five and forty years; deposited above ten thousand talents in our public treasury; kept the King of this country in that subjection, which a barbarian owes to Greeks; erected monuments of many and illustrious actions, which they themselves atchieved, by land and sea; in a word, are the only persons who have transmitted to posterity such glory as is superior to envy.— Thus great do they appear in the affairs of Greece. Let us now view them within the city, both in their public and private conduct.

And, first, the edifices which their administrations have given us their decorations of our temples, and the offerings deposited by them,

are so numerous and so magnificent, that all the efforts of posterity cannot exceed them. Then, in private life, so exemplary was their moderation, their adherence to the ancient manners so scrupulously exact, that, if any of you ever discovered the house of Aristides, or Miltiades, or any of the illustrious men of those times, he must know that it was not distinguished by the least extraordinary splendour. For they did not so conduct the public business, as to aggrandise themselves; their sole great object was to exalt the State. And thus, by their faithful attachment to Greece, by their piety to the Gods, and by that equality which they maintained among themselves, they were raised (and no wonder) to the summit of prosperity.

Such was the state of Athens, at that time, when the men I have mentioned were in power. But what is your condition, under these indulgent ministers who now direct us? Is it the same, or nearly the same?—Other things I shall pass over, though I might expatiate on them. Let it only be observed, that we are now, as you all see, left without competitors:—the Lacedemonians lost; the Thebans engaged at home; and not one of all the other states, of consequence sufficient to dispute the sovereignty with us. Yet, at a time when we might have enjoyed our own dominions in security, and been the umpires in all disputes abroad, our territories have
been

been wrested from us ; we have expended above one thousand five hundred talents to no purpose ; the allies which we gained in war have been lost in time of peace ; and to this degree of power have we raised an enemy against ourselves. (For let the man stand forth, who can shew whence Philip hath derived his greatness, if not from us.)

“ Well ! if these affairs have but an unfavourable aspect, yet those within the city are much more flourishing than ever.”

Where are the proofs of this ? The walls which have been whitened ? the ways we have repaired ? the supplies of water ; and such trifles ? Turn your eyes to the men, of whose administration these are the fruits ; some of whom, from the lowest state of poverty, have arisen suddenly to affluence ; some from meanness to renown ; others have made their own private houses much more magnificent than the public edifices. Just as the State hath fallen, their private fortunes have been raised.

And what cause can we assign for this ? How is it that our affairs were once so flourishing, and now in such disorder ? Because, formerly, the people dared to take up arms themselves ; were themselves masters of those in employment, disposers themselves of all emoluments : so that every citizen thought himself happy to derive honours and authority, and all advantages whatever

ever from the people. But now, on the contrary, favours are all dispensed, affairs all transacted by the ministers: while you, quite enervated, robbed of your riches, your allies, stand in the mean rank of servants and assistants; happy if these men grant you the theatrical appointments, and send you scraps of the public meal. And, what is of all most sordid, you hold yourselves obliged to them for that which is your own: while they confine you within these walls, lead you on gently to their purposes, and sooth and tame you to obedience. Nor is it possible, that they who are engaged in low and groveling pursuits, can entertain great and generous sentiments. No! such as their employments are, so must their dispositions prove — And now I call Heaven to witness, that it will not surprise me, if I suffer more by mentioning this your condition, than they who have involved you in it. Freedom of speech you do not allow on all occasions; and that you have now admitted it, excites my wonder.

But if you will at length be prevailed on to change your conduct; if you will take the field, and act worthy of Athenians; if these redundant sums which you receive at home, be applied to the advancement of your affairs abroad; perhaps, my countrymen, perhaps some instance of consummate good fortune may attend you, and ye may become so happy as to despise those pittance, which are like the morsels

els that a physician allows his patient. For these do not restore his vigour, but just keep him from dying. So, your distributions cannot serve any valuable purpose, but are just sufficient to divert your attention from all other things, and thus increase the indolence of every one among you.

But I shall be asked, "What then ! is it your opinion, that these sums should pay our army?"— And besides this, that the State should be regulated in such a manner, that every one may have his share of public business, and approve himself an useful citizen, on what occasion soever his aid may be required. Is it in his power to live in peace ? He will live here with greater dignity, while these supplies prevent him from being tempted by indigence to any thing dishonourable. Is he called forth by an emergency like the present ? Let him discharge that sacred duty which he owes to his country, by applying these sums to his support in the field. Is there a man among you past the age of service ? Let him, by inspecting and conducting the public business, regularly merit his share of the distributions which he now receives, without any duty enjoined, or any return made to the community. And thus, with scarcely any alteration, either of abolishing or innovating, all irregularities are removed, and the State completely settled ; by appointing one general regulation, which shall entitle our
citizens

citizens to receive, and at the same time oblige them to take arms, to administer justice, to act in all cases as their time of life and our affairs require. But it never hath, nor could it have been moved by me, that the rewards of the diligent and active should be bestowed on the useless citizen; or, that you should sit here, supine, languid, and irresolute, listening to the exploits of some general's foreign troops (for thus it is at present). Not that I would reflect on him who serves you, in any instance. But you yourselves, Athenians! should perform those services, for which you heap honours upon others; and not recede from that illustrious rank of virtue, the price of all the glorious toils of your ancestors, and by them bequeathed to you.

Thus have I laid before you the chief points in which I think you interested. It is your part to embrace that opinion, which the welfare of the State in general, and that of every single member recommends to your acceptance.

Nº XIV. *The Earl of CHATHAM, on American Affairs.*—1775.

MY LORDS,

THERE are two things which Ministry have laboured to deceive the people in, and have persuaded them to;—first, that it was an affair of Boston only, and that the very appearance

pearance of one single regiment there, would quiet every thing. I have foretold the falshood of both;—I was conversant with that country more, more years, perhaps, than any man;—I knew the cause of Boston would be made the cause of America;—I knew the mode of the military would not be effectual.

The manner of proceeding against Boston, was a proscription of a people unheard;—unheard in any court, either in the common courts of justice, or the higher, of Parliament, in both of which, evidence of facts are stated in proof of criminality:—but the Americans were denied to be heard. The people of America condemned, and not heard, have a right to resist.

By whose advice vindictive counsels were pursued,—by whose advice false representations were made,—by whose advice malice and ill-will were made principles of governing a free people;—all these are questions that will be asked. I mean no personal charge on any man farther than his misdoings call for.

There ought to be some instant proceeding towards a settlement, before the meeting of the Delegates. My object is to put the foot on the threshold of peace, and to shew an intention of reconciling:—I will, unless I am fixed to a sick-bed,—I will attend this business throughout, till I see America obtain what I think satisfaction
for

for her injuries,—still attentive that she shall own the supremacy of this country. It would be my advice to his Majesty, to end this quarrel the soonest possible ; his repose is our duty. Who by misadvice had planted a thorn in his side, by a contest with a people determined on their purpose ?

I wish to offer myself, mean as I am ;—I have a plan, a plan of a settlement, solid, honourable, and lasting.—America means only to have safety in property, and personal liberty. These, and these only, were her objects. Independency was falsely charged on her.—I disclaim all metaphysical distinctions. The declaratory act leaves you a right to take their money when you please.

I mean to meddle with no man's opinion ; and leaving all men to follow the plan of their own opinions of former professions, my plan is to establish for the American an unequivocal, express right of not having his property taken from him, but by his own consent, and in his own assembly.

Eight weeks delay admits no farther hesitation, no, not of a moment ;—the thing may be over ;—a drop of blood renders it *immedicabile vulnus*.

Whether it can ever now be a true reconciliation, must be owing to the full compensation that America shall receive. Repeal the mutual
ill-will

ill-will that subsists, for it is not the repeal of a little Act of Parliament that will work peace. Will the repeal of a bit of parchment avail? Will, think you, three millions of people in arms be satisfied by such a repeal? It must be a repeal on the principle of justice.—There must be no procrastination; you are to a moment,—now,—instantaneously. Every hour, that a beginning is not made towards softening, towards healing—(the very news of which might work wonders)—endangers the fixed liberty of America, and the honour of the Mother Country.

The success and permanent effect of the best measures may arise from mutual good-will.

My motion is part of a plan;—and I begin with a proof of good-will. My motion is, “to address the King to remove the forces from the town of *Boston*.”

The Congress, they are more wise, and more prudent than the meeting of ancient *Greece*. Your Lordships have read *Thucydides*. He mentions nothing of ancient story, more honourable, more respectable, than this despised meeting.

The Congress is treated harshly;—I wish we would imitate their temper;—firm indeed, if you please:—but Congress is conducted with firmness and moderation. I wish our House of Commons as freely and uncorruptly chosen.

The proceedings from hence arise from ignorance of the circumstances of America.—The
idea

idea of *coercion* by troops, where they were not the natural resource, was wanton and idle.—Anger was your motive in all you did. “What! shall America presume to be free!—Don’t hear them;—chastise them!” This was your language. *Castigat auditque*;—the severest judge, though he chastises, also hears the party.

All the mischief has arisen from your anger; for your not adopting your means to your ends:—troops and violence were ill means to answer the ends of peace.

I understand government is not altogether satisfied with the Commander of your troops; he has not been quick enough to shed blood; his moderation is ridiculed:—but I know that Gentleman, an officer of long service, has acted prudently; it was want of wisdom to place an army there.—I have heard of armies of observation; but this is an army of irritation.

In the civil war of Paris, where those great men, the Prince of Condé and Marshal Turenne, commanded the two parties,—Marshal Turenne was said often to have been near the Prince.—The Queen was angry; she did not see why, when he was so near the Prince, he should not take him; she was offended, and with some warmth asked, “*Quand vous étiez si près, pourquoi n’avez-vous pas pris le Prince?*” That great officer, who knew his business, answered coolly, “*J’avois peur, Madame, qu’il ne m’eût pris.*”

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The Ministry tell you, that the Americans will not abide by the Congress;—they are tired of the association.—True,—many of the merchants may be;—but it does not now depend on the merchants, nor do the accounts come even from the principal merchants, but from the runners of Ministry. But, were the dissatisfaction among the merchants ever so great, the account is no way conformable to the nature of America.

The nation of America, who have the virtues of the people they sprung from, will not be slaves. Their language is: If trade and slavery are companions, we quit the trade;—let trade and slavery go where they will, they are not for us.

Your anger represents them as refractory and ungrateful, in not submitting to the parent they sprang from: but they are, in truth, grown an accession of strength to this country; they know their importance; they wish to continue their utility to you; but though they may be sick of the association, those sons of the earth will never be dissuaded from their association.

After the repeal of the Stamp Act, two years after, I was in the country, an hundred miles off:—a Gentleman who knew the country, told me, that if regiments had landed at that time, and ships had been sent to destroy the towns, they had come to a resolution to retire back into
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the country.—It is a fact.—A noble Lord smiles : if I were to mention the Gentleman's name, it would not increase his smile.

I wish the young gentlemen of our time would imitate those Americans that are misrepresented to them ;—I wish they would imitate their frugality ; I wish they would imitate that liberty, which the Americans love better than life ; imitate that courage, which a love of liberty produces.—One word more.—I will send my plan, if the state of a miserable constitution stretches me on a sick-bed. It is to put an end to the quarrel. “ What before you know whether they will come to terms ? ” Yes, let my expectations be what they will, I should recall the troops ; it partakes of a nullity to accept submission under the influence of arms.

I foretell these bills must be repealed :—I submit to be called an idiot, if they are not.—Three millions of men ready to be armed, and talk of forcing them !

There may be dangerous men, and dangerous councils, who would instil bad doctrines, advise the enslaving of America : they might not endanger the Crown, perhaps ; but they would render it not worth the wearing.

The cause of America is allied to every true Whig. They will not bear the enslaving of America. Some Whigs may love their fortunes better than their principles : but the body of
Whigs

Whigs will join ; they will not enslave America. The whole Irish nation, all the true English Whigs, the whole nation of America, these combined, make many millions of Whigs averse to the system. France has her full attention upon you ; war is at your door ; carrying a question here, will not save your country in such extremities.

This being the state of things, my advice is, to proceed to allay heats : I would at the instant begin and do something towards allaying and softening resentment.

My motion, you see, respects the army, and their dangerous situation. Not to undervalue General Gage, who has served with credit,—he acts upon his instructions ; if he has not been alert enough to shed blood ;—

Non dimicare quam vincere maluit.

And he judged well.—The Americans too have acted with a prudence and moderation that had been worthy of our example, were we wise :—to their moderation it is owing, that our troops have so long remained in safety.

Mal-administration has run its line,—it has not a move left,—it is a check-mate. Forty thousand men are not adequate to the idea of subduing them to your taxation.—Taxation exists only in representation : take them to your heart ;—who knows what their generosity may effect ?

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I am not to be understood as meaning a naked, unconditional repeal ;—no, I would maintain the superiority of this country at all events.—But you are anxious who shall disarm first. That great Poet, and, perhaps, a wiser and greater politician than ever he was a poet, has given you wisest counsel ;—follow it :

*Tuque prior, tu parce ; genus qui ducis Olympo.
Projice tela manu.*

Who is this man that will own this system of force as practicable ? And is it not the height of folly to pursue a system that is owned to be impracticable.—I therefore move, that an humble address be presented to his Majesty, most humbly to advise and beseech his Majesty, that in order to open the way towards an happy settlement of the dangerous troubles in America, by beginning to allay ferments, and soften animosities there ; and above all, for preventing, in the mean time, any sudden and fatal catastrophe at Boston, now suffering under the daily irritation of an army before their eyes, posted in their town, it may graciously please his Majesty, that immediate orders may be dispatched to General Gage, for removing his Majesty's forces from the town of Boston, as soon as the rigour of the season, and other circumstances, indispensable to the safety and accommodation of the said troops, may render the same practicable.

Nº XV. *Part 1st of CicerO's Oration for*
MILo.

THOUGH, my Lords, I am apprehensive, that, when I enter upon the defence of a brave man, it may be thought mean to betray any symptoms of cowardice, or to be unable to support my pleading with a dignity of courage equal to that of Titus Annius Milo, who is less concerned about his own fate than that of his country, yet am I dismayed with this unusual pomp of justice, this unprecedented array of terror: my eyes, in vain, on all sides, search for the venerable forms and ancient appearances of the Forum; your bench is environed with attendants, and the bar with guards, hitherto unknown at a Roman trial.

For these troops, which stand before all the temples, however they are meant to overawe violence, strike terror into the pleader; and though the guards, with which this forum and these walls are lined, may be salutary, perhaps necessary; yet the very means of safety awaken the idea of danger. But, did I think that those soldiers were placed there to influence this trial in prejudice of Milo, I would yield, my Lords, to necessity, nor imagine that, where so determined a force overrules, the voice of eloquence can be heard. I am, however, supported and encouraged by the conduct of Pompey, who, as he is

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a person of the most consummate justice, will never expose to the sword of the soldier, the man whom he has given up to the judgement of this court; and as his wisdom is equal to his justice, he must think it inconsistent with both, should he strengthen the fury of popular commotion by the sanction of supreme authority. Therefore, those arms, those officers, those troops, are placed not to overawe, but to protect: while I plead, they bid me, my Lords, speak with composure, nay, with courage, and promise me not only safety but attention. The rest of the multitude, so many at least as are Roman citizens, is on our side; and every man of them, whom you perceive crowding the places from whence the smallest part of the forum can be viewed, expecting the event of this trial, is interested in our favour; and thinks that the sentence which condemns or acquits Milo, fixes the fate of himself, his posterity, his country, and his property.

One set of men are indeed our determined inveterate enemies; I mean those robbers and incendiaries trained up by the madness of Clodius, and supported by rapine, burnings, and every destructive species of public calamity; who, instigated by the speeches of yesterday, had the insolence to anticipate your judgement upon this case: but I hope, if these clamours are to have any effect, it shall be that of preserving to his own country a brave citizen, and
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one who, for your safety, always disregarded those ruffians and their threatenings.

Therefore, my Lords, let fear, if you have any, be laid aside, and act with spirit. For if ever you had it in your power to judge of the honest and the brave; if ever the liberty of worthy citizens was in your hands; if ever men selected from the most illustrious of our orders, had an opportunity to render effectual, by their conduct and decisions, those favourable intimations which they had before often given by their looks and words; in you at this instant all these powers are vested, that you may pronounce whether we, who have still been devoted to your authority, would languish under oppression; or, after long persecution, by the most abandoned citizens, at last be relieved by your integrity, virtue, and wisdom.

For what, my Lords, can be more irksome, what can be expressed or conceived more exquisitely tormenting, than that we, whose services to our country gave us a right to expect the highest honours, should now be subjected to the dread of the most infamous punishment? I thought, indeed, that all the storms and tempests which tumultuary faction and distracted counsels raise, must break upon the head of Milo, because he has ever patronized virtue against licentiousness; but little did I imagine, when the affair was brought to a regular trial, wherein

the greatest and most illustrious men in Rome were to sit as judges, that the enemies of Milo should harbour a thought of succeeding, while such men were on the bench, in their endeavours, not only to affect his life, but to stain his glory. For, my Lords, unless you shall see to the strongest conviction, that Milo was treacherously beset by Clodius, I shall not endeavour to influence your judgement upon this fact, by displaying the tribuneship of Milo, nor the conduct of his whole life, spent in a series of successful services to his country : neither shall I plead the merit of those services as an atonement for one rash action ; nor suggest, that if the safety of you, who sit on that tribunal, was incompatible with the life of Clodius, your deliverance was owing to the virtue of Milo, rather than the guardian genius of Rome. But, if the treachery of Clodius should appear plain as the sun at noon-day, I shall, my Lords, beg, I shall conjure you, if we have lost all other advantages, that we may retain this one poor privilege of defending with impunity our lives against the unjust violence of our enemies.

But before I touch upon those points that more immediately affect the present question, some things advanced in the senate often by our enemies, by ruffians, and lately by our accusers, before a certain assembly, are to be discussed ; that, every medium of error being dispelled,

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you may judge of the naked merits of the cause. They, my Lords, deny that a man who confesses he has killed another, should be suffered to see the sun. In what place do these fools think they are arguing? Surely not in that city, where the first decision in a capital case was upon the life of the brave Horatius; who, before the date of Roman liberty, was acquitted by the assembled Comitia of the Roman people, though he confessed that with his own hand he had killed his sister.

Where is the man who is ignorant, that, in cases of bloodshed, the fact is either absolutely denied, or, if admitted, maintained to be just and lawful? Were it not so, Africanus must be deemed a madman; who, being publicly asked by C. Carbo, the factious tribune of the people, what was his opinion of the death of Gracchus? answered, that he was lawfully killed. Nor can the great Ahala Servilius, P. Nasica, Opimius, Marius, or the Senate, when I was Consul, be deemed otherwise than criminal, if it is a crime to put to death the abandoned of our own country. Therefore, my Lords, it is not without reason, that some ingenious writers have in fabulous histories informed us, that, when a difference of opinion arose with regard to the man who had revenged the death of his father, by that of the murderers his mother, the parricide was acquitted by the oracle; and

oracle too, my Lords, pronounced by the Goddess of Wisdom herself. And if the twelve tables have made it lawful, absolutely and unconditionally, to kill a thief in the night, and by day, in case he shall defend himself with a weapon; who can be so unreasonable as to think that no circumstance or manner attending the killing of any man, ought to excuse the person who kills him, from punishment? since it is plain, that the laws themselves sometimes put into our hands, the sword which is to shed the blood of man. But if there can be a time, as there are many, when this is not only lawful but necessary, it is, when force can be repelled only by force. When a military tribune, a relation of Caius Marius, attempted to pollute the body of a soldier in that general's army, the ravisher was killed by the soldier, who was acquitted by that great man; since the virtuous youth chose to avoid, at the hazard of his life, what he could not suffer without the violation of his honour. To a traitor then, and a robber, what death can be deemed unjust?

What avail those very guards, and to what purpose are they suffered to wear swords, if they are suffered upon no account to use them? The law says, that when our life is endangered by treachery, or by the insidious attacks of robbers and enemies, all the means which we can use for our deliverance are justifiable. This, my Lords,

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is a law not adopted by custom, but inherent to our being ; a law not received, learned, or read, but an essential, congenial, inseparable character of nature ; a law which we have not by institution, but by constitution,—not derived from authority, but existing with consciousness. In short, my Lords, statutes are silenced by arms ; nor do they presume that a man is to wait for justice from the formal decision of a court, while the sword of violence is ready to put an end to his life.

Even that very law which prohibits not only murder, but the carrying a weapon with a design to murder, wisely, and in some measure tacitly, establishes the right of self-defence ; that when the enquiry is not upon the manner, but the reasons of a man's being killed, the person who kills another with a weapon, in self-defence, may never, in the construction of the law, be presumed to wear that weapon with a murderous intention : this, my Lords, I hope will be admitted as a principle ; and I make no doubt of being able to prove my defence, if you keep in your eye, what it is impossible you should lose sight of, I mean the lawfulness of killing the man who lies in wait to murder you.

N^o XVI. *Part 1st of the first Philippic of*
DEMOSTHENES.

HAD we been convened, Athenians ! on some new subject of debate, I had waited until most

of the usual persons had declared their opinions. If I had approved of any thing proposed by them, I should have continued silent: if not, I had then attempted to speak my sentiments. But since those very points on which these speakers have oftentimes been heard already, are at this time to be considered; though I have arisen first, I presume I may expect your pardon: for if they on former occasions had advised the necessary measures, ye would not have found it needful to consult at present.

First then, Athenians! these our affairs must not be thought desperate; no, though their situation seems entirely deplorable. For the most shocking circumstance of all our past conduct is really the most favourable to our future expectations. And what is this? That our own total indolence hath been the cause of all our present difficulties. For were we thus distressed, in spite of every vigorous effort which the honour of our State demanded, there were then no hopes of a recovery.

In the next place, reflect (you who have been informed by others, and you who can yourselves remember) how great a power the Lacedemonians not long since possessed; and with what resolution, with what dignity you disdained to act unworthy of the State, but maintained the war against them for the rights of Greece. Why do I mention these things? That ye may know, that

that ye may see, Athenians! that if duly vigilant, ye cannot have any thing to fear; that if once remiss, not any thing can happen agreeable to your desires: witness the then-powerful arms of Lacedemon, which a just attention to your interests enabled you to vanquish; and this man's late insolent attempt, which our insensibility to all our great concerns hath made the cause of this great confusion.

If there be a man in this assembly who thinks that we must find a formidable enemy in Philip, while he views, on one hand, the numerous armies which attend him, and, on the other, the weakness of the State thus despoiled of its dominions, he thinks justly. Yet let him reflect on this: there was a time, Athenians! when we possessed Pydna, and Potidæa, and Methonè, and all that country round; when many of those states now subjected to him were free and independent, and more inclined to our alliance than to his. Had then Philip reasoned in the same manner, "How shall I dare to attack the Athenians, whose garrisons command my territory, while I am destitute of all assistance!" he would not have engaged in those enterprises which are now crowned with success; nor could he have raised himself to this pitch of greatness. No, Athenians! he knew this well, that all these places are but prizes, laid between the combatants, and ready for the conqueror;

that the dominions of the absent devolve naturally to those who are in the field, the possessions of the supine to the active and intrepid. Animated by these sentiments, he overturns whole countries, he holds all people in subjection: some, as by the right of conquest; others, under the title of allies and confederates: for all are willing to confederate with those whom they see prepared and resolved to exert themselves as they ought.

And if you, my countrymen! will now at length be persuaded to entertain the like sentiments; if each of you, renouncing all evasions, will be ready to approve himself an useful citizen, to the utmost that his station and abilities demand; if the rich will be ready to contribute, and the young to take the field; in one word, if you will be yourselves, and banish those vain hopes which every single person entertains, that while so many others are engaged in public business, his service will not be required; you then (if Heaven so pleases) shall regain your dominions, recall those opportunities your supineness hath neglected, and chastise the insolence of this man. For you are not to imagine, that, like a God, he is to enjoy his present greatness for ever, fixed and unchangeable. No, Athenians! there are who hate him, who fear him, who envy him, even among those seemingly the most attached to his cause. These are passions common

mon to mankind ; nor must we think that his friends only are exempted from them. It is true they lie concealed at present, as our indolence deprives them of all resource. But let us shake off this indolence ! for you see how we are situated ; you see the outrageous arrogance of this man, who does not leave it to your choice whether you shall act, or remain quiet ; but braves you with his menaces, and talks (as we are informed) in a strain of the highest extravagance ; and is not able to rest satisfied with his present acquisitions, but is ever in pursuit of further conquests ; and, while we sit down inactive and irresolute, incloses us on all sides with his toils.

When, therefore, O my countrymen ! when will you exert your vigour ? When roused by some event ? When forced by some necessity ? What then are we to think of our present condition ? To freemen, the disgrace attending misconduct, is, in my opinion, the most urgent necessity. Or say, is it your sole ambition to wander through the public places, each enquiring of the other, “What new advices ?” Can any thing be more new, than that a man of Macedon should conquer the Athenians ! and give law to Greece ?—“Is Philip dead ?—No, but in great danger.”—How are you concerned in those rumours ? Suppose he should meet some fatal stroke, you would soon raise up another Philip, if your interests are thus regarded. For it is not

to his own strength that he so much owes his elevation, as to our supineness. And, should some accident affect him, should fortune, who hath ever been more careful of the State than we ourselves, now repeat her favours; (and may she thus crown them!) be assured of this, that by being on the spot, ready to take advantage of the confusion, you will every where be absolute masters. But in your present disposition, even if a favourable juncture should present you with Amphipolis, you could not take possession of it, while this suspense prevails in your designs and in your councils.

And now, as to the necessity of a general vigour and alacrity, of this you must be fully persuaded: this point therefore I shall urge no further. But the nature of the armament, which, I think, will extricate you from the present difficulties, the numbers to be raised, the subsidies required for their support, and all the other necessities; how they may (in my opinion) be best and most expeditiously provided; these things I shall endeavour to explain.—But here I make this request, Athenians! that you would not be too precipitate, but suspend your judgment till you have heard me fully. And if, at first, I seem to propose a new kind of armament, let it not be thought that I am delaying your affairs. For it is not they who cry out, “Instantly! this moment!” whose counsels suit the present

present juncture (as it is not possible to repel violences already committed, by any occasional detachment); but he who will shew you, of what kind that armament must be, how great, and how supported, which may subsist until we yield to peace, or till our enemies sink beneath our arms : for thus only can we be secured from future dangers.—These things, I think, I can point out : not that I would prevent any other person from declaring his opinion.—Thus far am I engaged : how I can acquit myself, will immediately appear :—to your judgements I appeal.

Nº XVII. *Part 2d of C I C E R O's Oration
for M I L O.*

I COME now to consider an objection which is frequently in the mouths of Milo's enemies ; that the killing of Clodius was declared by the senate to be an act of treason against the commonwealth. But, my Lords, how often did the senate, not only solemnly, but zealously approve the action ! How often was this affair canvassed in that assembly ! How great was the satisfaction of the whole order ! How loud, how unre-served their applause ! When in the fullest house were found four, or at most five, senators, who did not take the part of Milo ! For the truth of this, my Lords, I appeal to the short-lived harangues of that scorched tribune, in which he
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every day invidiously alledged, that the senators decreed not according to their own sentiments, but in compliance with my direction; and daily inveighed against my power. If you choose to call it power, rather than a reasonable degree of authority in a rightful cause, to which one may have a title by extraordinary services to his country; or a moderate credit with worthy men, on account of my painful endeavours to promote the public good; you may term it so, provided I shall always exert it in protection of the virtuous against the fury of the wicked.

But this special commission, though I am far from saying it is iniquitous, was what the senate never thought fit to grant; because many laws and precedents, both with regard to riots and murders, are extant. Nor indeed was that assembly so deeply affected by the death of Clodius, as to issue out any such extraordinary commission. For who can imagine that the senate, who was deprived of the power of judging him upon the commission of an incestuous whoredom, would grant any extraordinary commission for inquiring into the circumstances of his death? But why then (may it be said) did the senate adjudge the burning of the court, the attack upon the house of Lepidus, and this very bloodshed, to be acts of treason against the commonwealth? Because all acts of violence committed in a free State, by one citizen against another, are, in the eye of the
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the law, presumed to be committed against the State.

For though such a defence against violence is never desirable, yet sometimes it may be unavoidable ; nay even on the days when the Gracchi were killed, and when the armed force of Saturninus was suppressed, when, though all was done for the public welfare, yet the republic received a wound. Therefore I was of opinion, that, when it appeared a man was killed on the Appian way, the person who acted on the defensive, was guilty of no act of treason against the State. But, as the case included a charge of premeditated violence, I reserved the cognizance of that to the proper judges, and I admitted of the fact. And, if the fury of that seditious tribune had suffered the senate to act according to its own sentiments, we should at this time have had no new commission for a trial ; for the senate was coming to a resolution, that the affair should only be specially tried, according to our ancient laws.

The vote was divided, at whose request I shall not say ; for it is unnecessary to display the personal faults of every man. Thus the authority remaining in the senate was by a mercenary interposition abolished.

But it may be said, that Pompey, by the bill which he brought in, had an eye both to the action and its motives : for its enacting clauses
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related to the bloodshed committed in the Appian way, where Publius Clodius was killed. But what did it enact? Why, that it might be tried. What was to be tried? Whether it was committed. Nobody disputes that it was. Then, by whom? That we likewise confess. Thus Pompey perceived, though the fact was confessed, yet that still a matter of law might arise to acquit the prisoner. I say, that, unless Pompey had been sensible that the prisoner, upon confession, might be acquitted, when he perceived that we confessed, he would never have ordered a new commission for a trial, nor have put, my Lords, into your hands a saving as well as a condemning letter. Surely to me, Pompey seems not only to have decreed nothing harsh against Milo, but his decision appears to direct you in the point which you ought principally to have in view: for, to grant a person, who is convicted of a fact upon his own confession, the liberty of making his own defence, is a plain implication that the judges are of opinion, that the inquiry ought not to be upon the matter of fact, but of law. Now Pompey is at freedom candidly to declare, whether his proceeding in this affair was from a regard to the memory of Clodius, or to the necessity of the juncture.

M. Drusus, a tribune of the people, a man of the highest quality, an assertor, nay, in these days, almost the protector of the rights of the senate,

senate, and uncle to the brave Marcus Cato, one of our judges, was killed in his own house. But the people never intermeddled with the inquiry into this murder, nor did the senate grant any extraordinary commission for a trial on that account. We have heard from our fathers the grief, the consternation, which appeared in this city, when Publius Africanus in the night-time was assassinated, as he reposed on his own bed. What breast then was so obdurate as not to sigh, what heart so insensible as not to grieve, that a man whom the wishes of mankind, could wishes have prevailed, would have rendered immortal, should be cut off before the natural course of his life was fulfilled ?

Was then no new trial granted for inquiring into the death of Africanus ? None. Why ? Because murder is equally heinous in its own nature, whether it is the fate of the eminent or the obscure. A difference indeed lies in the two characters ; but the impious murder of the one is subjected to the same penalty, and judged by the same laws, with that of the other ; unless it be said that the crimes of a parricide receive some aggravation from his killing a senator, beyond what they would have admitted of, had he been the murderer of a private person ; or that the circumstances of the death of Clodius were more heinous, as he fell upon the monuments of his family ; for that too has been insisted upon : as
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if the great Appius Cæcus had paved that road, not to be a conveniency and an ornament to his country, but as a sanctuary to screen the felonies of his posterity.

When P. Clodius on the same road killed M. Papirius, that accomplished Roman knight, his crime must pass unpunished; for, as he was a person of quality, he had only killed a Roman knight upon the monuments of his own family. What a fruitful source of declamation has this Appian name afforded! While it was stained with the murder of a brave and an innocent man, it was never mentioned; but now, that it is discoloured with the blood of a robber and a murderer, it is become a common-place of conversation. But why do I dwell upon these circumstances? When a slave of P. Clodius was seized in the temple of Castor, where he had been placed to assassinate Pompey, the wretch confessed the design, as they were wrestling the dagger out of his hand. Pompey afterwards absented from the forum, he absented from the senate, he absented from the public, and thought fit to put himself under the protection of the wall and gates of his house, rather than of the laws and judges of his country. But did any law at that time pass? Was any extraordinary commission for a trial then granted? Yet if ever any circumstance was so affecting, if ever any person was of such dignity, if ever any juncture was

was of such importance, as to make that measure expedient ; in this case they strongly operated : a traitor was posted in the forum, even in the threshold of the senate-house, with a design to assassinate the man upon whose life the preservation of the State depended, and at a juncture too, so critical to the republic, that, had he then fallen, not only this city, but the body of the Roman Empire, must have shared in his fate. And did he escape punishment, only because his designs proved abortive ? As if the laws of Rome were to regard, not the intention of the criminal, but the success of his crime. The villany not being penetrated, did indeed alleviate the grief of the public, but never could extenuate the guilt of the villain.

How often, my Lords, have I myself escaped the threatening sword, and butchering hand of Clodius ! And if I had not owed my safety to my own, or my country's good fortune, where is the man who would have procured an extraordinary trial upon my death ?

But it is weak in me to presume to compare a Drusus, an Africanus, a Pompey, or a Cicero, to Clodius ; their lives could easily be dispensed with : but, at the thought of the death of Clodius, the senate is afflicted ; the whole equestrian order grieved ; the city all of a sudden is struck with age and infirmity ; the Roman corporations are in mourning ; our colonies in consternation ;
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even the fields themselves regret the loss of a citizen so benevolent, so upright, and so humane. These were not, my Lords, indeed they were not, the reasons why Pompey thought himself obliged to order a commission for a special trial. But that prudent person, who is endowed with an almost divine penetration, comprehended many points within his view.

He reflected that Clodius had been his enemy, that Milo was his friend; and justly dreaded, that, if he appeared to share in the general joy, he might appear insincere in the ties of a newly-cemented friendship.

He had a great many other circumstances in his eye, but this especially;—that though he was obliged to enact with severity, yet that you, my Lords, would judge with courage. He therefore chose for judges the very lights of our most illustrious bodies; nor, as has been falsely asserted, did he keep my friends out of the commission. This is what that excellent person never had in his thoughts; and, if he confined his choice of the judges to men of probity and honour, he could not have had it in his power. My interest, my Lords, is not confined to my intimate friends, who cannot be numerous, because the endearing familiarities of life can never be very extensive; but, if I have any interest, it is owing to the connections which my public character has led me into with the best men in
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the commonwealth. As Pompey, therefore, wisely thought that his reputation was interested in choosing the best from among all good men to sit upon that tribunal, he was under a necessity of choosing my friends.

In making you, Lucius Domitius, the president of this court, he consulted nothing but equity, resolution, humanity, and honour. By his law he enacted, that the president of this court should be a person of consular dignity; because, I suppose, he held it as a maxim, that men of distinction ought to be proof against the attacks both of an inconstant populace and a desperate faction: and that he distinguished you from the rest of your order, is owing to the many conspicuous proofs, which from your early youth you have given of your contempt of popular madness.

Nº XVIII. *Part 2d of the first Philippic of*
DEMOSTHENES.

FIRST then, Athenians! I say that you should fit out fifty ships of war; and then resolve, that on the first emergency you will embark yourselves. To these I insist that you must add transport and other necessary vessels sufficient for half our horse. Thus far we should be provided against those sudden excursions from his own kingdom to Thermopylæ, to the Chersonesus,

nefus, to Olynthus, to whatever places he thinks proper. For of this he should necessarily be persuaded, that possibly you may break out from this immoderate indolence, and fly to some scene of action : as you did to Eubœa ; and formerly, as we are told, to Haliartus ; and but now, to Thermopylæ. But although we should not act with all this vigour (which yet I must regard as our indispensable duty), still the measures I propose will have their use : as his fears may keep him quiet, when he knows we are prepared (and this he will know, for there are *too, too* many among ourselves, who inform him of every thing) : or if he should despise our armament, his security may prove fatal to him ; as it will be absolutely in our power, at the first favourable juncture, to make a descent upon his own coasts.

These then are the resolutions I propose, these the provisions it will become you to make. And I pronounce it still farther necessary to raise some other forces which may harass him with perpetual incursions. Talk not of your ten thousands, or twenty thousands of foreigners ; of those armies which appear so magnificent on paper ; but let them be the natural forces of the State : and if you chuse a single person, if a number, if this particular man, or whomever you appoint as general, let them be entirely under his guidance and authority. I also move you, that subsistence be provided for them. But, as to the quality, the
 numbers,

numbers, the maintenance of this body, how are these points to be settled?—I now proceed to speak of each of them distinctly.

The body of infantry therefore—But here give me leave to warn you of an error which hath often proved injurious to you. Think not that your preparations ever can be too magnificent: great and terrible in your decrees; in execution weak and contemptible. Let your preparations, let your supplies at first be moderate; and add to these, if you find them not sufficient.—I say then, that the whole body of infantry should be two thousand: of these, that five hundred should be Athenians, of such an age as you shall think proper; and with a stated time for service, not long, but such as that others may have their turn of duty. Let the rest be formed of foreigners. To these you are to add two hundred horse, fifty of them at least Athenians; to serve in the same manner as the foot. For these you are to provide transports.—And now, what farther preparations?—Ten light gallies. For, as he hath a naval power, we must be provided with light vessels, that our troops may have a secure convoy.

But whence are these forces to be subsisted? This I shall explain, when I have first given my reasons, why I think such numbers sufficient, and why I have advised that we should serve in person. As to the numbers, Athenians! my reason is this: it is not, at present, in our power to
provide

provide a force able to meet him in the open field ; but we must harass him by depredations : thus the war must be carried on at first. We therefore cannot think of raising a prodigious army (for such we have neither pay nor provisions) ; nor must our forces be absolutely mean. And I have proposed that citizens should join in the service, and help to man our fleet ; because I am informed that, some time since, the State maintained a body of auxiliaries at Corinth, which Polystratus commanded, and Iphicrates, and Chabrias, and some others ; that you yourselves served with them ; and that the united efforts of these auxiliary and domestic forces gained a considerable victory over the Lacedemonians. But, ever since our armies have been formed of foreigners alone, their victories have been over our allies and confederates ; while our enemies have arisen to an extravagance of power. And these armies, with scarcely the slightest attention to the service of the State, sail off to fight for Artabazus, or any other person ; and their general follows them : nor should we wonder at it ; for he cannot command, who cannot pay his soldiers. What then do I recommend ? That you should take away all pretences both from generals and from soldiers, by a regular payment of the army, and by incorporating domestic forces with the auxiliaries, to be as it were inspectors into the conduct of the commanders. For at present our manner of acting

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is even ridiculous. If a man should ask, "Are you at peace, Athenians?" the answer would immediately be, "By no means: we are at war with Philip. Have not we chosen the usual generals and officers both of horse and foot?" And of what use are all these, except the single persons whom you send to the field? The rest attend your priests in their processions; so that, as if you formed so many men of clay, you make your officers for show, and not for service. My countrymen! should not all these generals have been chosen from your own body, all these several officers from your own body, that our force might be really Athenian? And yet, for an expedition in favour of Lemnos, the general must be a citizen; while troops, engaged in defence of our own territories, are commanded by Menelaus. I say not this to detract from his merit; but to whomsoever this command had been intrusted, surely he should have derived it from your voices. Perhaps you are fully sensible of these truths; but would rather hear me upon another point; that of the supplies; what we are to raise, and from what funds. To this I now proceed.—The sum, therefore, necessary for the maintenance of these forces, that the soldiers may be supplied with grain, is somewhat above ninety talents. To the ten gallies, forty talents, that each vessel may have a monthly allowance of twenty minæ; to the two thousand foot, the

same sum, that each soldier may receive ten drachmæ a month for corn; to the two hundred horse, for a monthly allowance of thirty drachmæ each, twelve talents. And let it not be thought a small convenience, that the soldiers are supplied with grain; for I am clearly satisfied, that, if such a provision be made, the war itself will supply them with every thing else, so as to complete their appointment, and this without any injury to the Greeks or allies: and I myself am ready to sail with them, and to answer for the consequence with my life, should it prove otherwise. From what funds the sum which I propose may be supplied, shall now be explained.

[Here the Secretary reads the scheme for raising the supplies, &c.]

These are the supplies, Athenians! in our power to raise. And, when you come to give your voices, determine upon some effectual provision, that you may oppose Philip, not by decrees and letters only, but by actions. And, in my opinion, your plan of operation, and every thing relating to your armament, will be much more happily adjusted, if the situation of the country which is to be the scene of action, be taken into the account; and if you reflect, that the winds and seasons have greatly contributed to the rapidity of Philip's conquests; that he watches the blowing of the Etesians, and the severity of the

the winter ; and forms his sieges, when it is impossible for us to bring up our forces. It is your part then to consider this, and not to carry on the war by occasional detachments (they will ever arrive too late), but by a regular army constantly kept up. And for winter quarters, you may command Lemnos, and Thassus, and Scia thus, and the adjacent islands ; in which there are ports and provisions, and all things necessary for the soldiery, in abundance. As to the season of the year in which we may land our forces with the greatest ease, and be in no danger from the winds, either upon the coasts to which we are bound, or at the entrance of those harbours where we may put in for provisions—this will be easily discovered. In what manner, and at what time, our forces are to act, their General will determine, according to the junctures of affairs. What you are to perform, on your part, is contained in the decree I have now proposed. And, if you will be persuaded, Athenians ! first, to raise the supplies which I have recommended ; then to proceed to your other preparations, your infantry, navy, and cavalry ; and lastly, to confine your forces, by a law, to that service which is appointed to them ; reserving the care and distribution of the money to yourselves, and strictly examining into the conduct of the General ;—then your time will be no longer wasted in continual debates upon the same subject, and scarce

to any purpose ; then you will deprive him of the most considerable of his revenues : for his arms are now supported by seizing and making prizes of those who pass the seas.—But is this all ?—No.—You shall also be secure from his attempts : not as when some time since he fell on Lemnos and Imbrus, and carried away your citizens in chains ; not as when he surprized your vessels at Geraftus, and spoiled them of an unspeakable quantity of riches ; not as when lately he made a descent on the coast of Marathon, and carried off our sacred galley : while you could neither oppose these insults, nor detach your forces at such junctures as were thought convenient.

Nº XIX. Mr. Fox, *on East India Affairs.*

1783.

I AM really surprized, that notwithstanding the various objections that have been stated to this bill, on a former day, I find myself this day attacked upon a ground which I had least expected. The violation of charters, the despotism and oppression of the bill, were topics which I apprehended would have been principally dwelt on this day :—but I find that these grounds are nearly abandoned, and that now I am to be attacked on that side where I felt myself most strong : yet I will confess that I am sorry I am so strong there, for my strength must be founded on the weakness

weakness of the Company. It was an old and a politic custom with Ministers, in talking in Parliament in the time of war, of the strength and resources of the different bodies of the community, to describe them as if they were in the most prosperous and flourishing condition; and perhaps I should myself conform to that custom, if the country was now involved in war. The situation of the country, however, is such, as would not now allow the practice of those deceptions. We could only assist the nation, by knowing and declaring what the amount of its distress was. Had not this been the case;—had not the most urgent necessity impelled, I never would have brought in such a bill as that under discussion. The bill was a child, not of choice, but of necessity. In like manner the answer I was about to give to the Directors state of the Company's affairs, was not a matter of option, but a matter which I could not avoid, in justice to the Company,—in justice to myself,—and, in justice to the world. I assure the House at the same time, that though my defence must arise from that weakness, I wish most sincerely that I had no such ground of defence; the weakness of a Company so connected with the public, is not a theme which can afford any satisfaction: but as I would stake my reputation on the necessity of the measure I proposed, so it affords me, as far as my character is concerned, some satisfaction, that I can find in the Company's own accounts,

Substantial proofs of the necessity of a parliamentary interposition. But I confess, that while an honourable and learned gentleman, who sits opposite to me now, and who is likely to do so on all occasions, [*Mr. Dundas, the late Lord Advocate of Scotland, who sat on the Opposition side of the House, close by Mr. Pitt*] and other honourable gentlemen in this House, could be appealed to as evidence of the alarming state of the affairs of the Company, I had not imagined that any long or elaborate proof, that they were not in a prosperous condition, would be necessary. Gentlemen will find that there was no occasion for them to lament, that the account which had been delivered in at the bar, by the East India Company's Accountant, had not been read by the Clerk, as I shall, in the course of my speech, be obliged to touch upon most of the points that it contains. In this account I find many things inserted which ought to have been omitted, and many things omitted which ought to have been inserted. Through these insertions, and these omissions, the Company's affairs are made to appear in a much more favourable point of view than I believe they will be seen in, when I shall have stated the different exceptions that I have to their account: but I beg leave again to call to the recollection of the House, that I did not stand pledged to prove that these were actual errors in the account. It might be regularly calcu-

calculated, and the sums very properly cast up. I do not venture to say that there are positive falsehoods in the statement; all that I said, and all that I pledged for, was, that I would state rational objections to articles in this account, to the amount of more than twelve millions. These objections may not convince the House—they convince me. I beg that gentleman will go along with me in the statement, and put down the articles as I enumerate them; for, in so complicated a matter, they cannot follow me with memory.

The first article in the account, held out as the property of the Company, is £ 4,200,000, as the debt due to the Company from Government, at three per cent. interest. To this article I do not object: but I must make this observation; that this sum is to be considered as property held in the funds of the country, as not otherwise available to the individual than in respect to the annual interest, for there is no obligation of payment; they could not force the production of it; they could not make Government come to a settlement with them; but they stand exactly like the other creditors of the public, secure of the interest, but not armed with powers to come when they please at the principal. Another observation too occurs on this. They take and state this sum with evident error. Surely it is no otherways to be estimated, than as they can

their stock to market. They are not to set it down in this statement of their property at the nominal amount, but at the marketable value of the commodity. The marketable value of the commodity is three-fifths of the nominal value, and at no more ought they to have stated this sum of property, because for no more is the principal available in their present circumstances. It is very true, that this money was to be repaid to the Company, if Government should ever put an end to the monopoly which the Company enjoyed of the trade to India. In that case, the full sum of £4,200,000 must of course be paid; but as the money was lent, and that Government was never to repay the principal, if they chose, while they continued the monopoly, I must say, it was not so very fair to state the sum lent at the full value of £4,200,000: for if the monopoly should, in any case, be annihilated, without the will of Government, then the money could not be called for; and if the Company wished to sell their interest in that loan, which was sunk in the three per cents, they would of course lose about two-fifths of the whole; and therefore the account should, in candour, have stated, that towards paying their debts, they had in the three per cent. stock a property that would sell for £2,520,000.

The next article is of a very singular nature indeed, and gives the House a specimen of the principle

principle on which this account is made up. A charge is made on Government of £260,687 for the subsistence of prisoners in the war which concluded in 1763. To this article I did not mean to object, as a debt desperate, and to be altogether struck out : but, in their present emergency, is it to be considered as an article of available property? This claim was made on France immediately on the conclusion of the war in 1763, and for fifteen years in succession, that is, until the commencement of the last war. The payment of the sum was constantly sought for, and as steadfastly denied. Now, though I for my own part would promise and pledge myself to the Company, that I would exert every effort of my mind and power to accomplish this payment, though there is a negociation at this instant going on at Paris for the payment of it, and though I would pledge myself also for the exertion and activity of the Noble Duke now at Paris on the subject, still I ask if a sum which had been contended for in vain for so long a time, is to be assumed in such an account as available property?

The next article of £139,877 for expences on the Manilla expedition, and of £21,447 for hospital expences, bear the same complexion. They are all sums which have been in contention for so long a time, that, though they may be fairly due, they cannot be estimated as property at

hand, in fund, or come-atable ; they have been disallowed by every succeeding Treasury, including even that of the Earl of Shelburne. I therefore beg to ask the House, whether these three sums, making £422,011, ought to have been brought forward in the present statement as property applicable to the discharge of their debts ?

The next article is under the head of cash, which is stated in money, in bonds paid in at the sales, and again to be issued, and in debentures and custom notes, to amount to £609 954. Now to this I have an objection. The bonds are here stated as cash ; and no notice is taken of a very material article, which is the discount, on their being issued again. They bear a very considerable discount ; and an allowance should have been made for this discount, which they must suffer, on their being again issued. They cannot take any advantage of them but by issuing them anew, and they must be issued at a discount : instead therefore of stating them on this side of the account as cash, and charging them on the other side as debts against themselves, they ought to have stated merely the amount of the discount as an *item* against themselves on the debtor side of the account.

The next sum is stated to be due for goods sold, but not delivered, £553,258. To this I have no objection. The next article is the
value

value of the goods in the warehouses, of which the freights and duties are paid, £2,500,000. This I did not consider as proper to be taken in the way which they have taken it. It is to be inquired, whether they can dispose of this property, and then whether they can make it productive, and to the amount at which they have taken it :—though I do not believe that they can, yet I do not object to this article. At the same time it might have been proper for them to have stated the amount, without the customs. They charge themselves with the customs on the other side, indeed ; but, to have made the account regular, the sum should have been regularly stated here without the double entry.

The next is the merchandise exported to India, but not included in the property here, as not being yet arrived, £1,219,091. When a man is making out a state of accounts, to prove that he has in hand a sufficient quantity of goods, which he could immediately, or in a reasonable time, convert into money, one might be a little surprised to find him enumerating articles which, in their nature, could not be converted into money ; and yet the Company have acted precisely in this manner ; for they state, that merchandise to the amount of £1,219,091, has been exported to India, but not included in the accounts of property there, not being arrived when they were made up. Now in this account are
included

included military stores, to the amount of about half that sum, which were not to be used for any mercantile purpose, but were to be, if they had not already been consumed by the army. To the sum therefore of at least £600,000 in this article, I would certainly except: it forms no part of the means of the Company to pay their present debts; and therefore ought not to have been included in an account of ways and means. They could not bring them to any market, and they were not to be taken as available property. On this article, therefore, I take £600,000. The next sum is for silver remaining in the Treasury, £1,090. The only notice which I mean to take of this article is, to declare my astonishment, or rather indeed not my astonishment, but to point it out as a fact which proves my statement of their finances to be right. After enumerating their millions afloat, their millions in the warehouse, they come to the calculation of their specie, and it amounts to the sum of £1000. This reminds me of an article in one of our great Bard's best plays, where, speaking of one of his best characters, it is said—so much for sack; so much for sugar; so much for burnt hock; so much for this, and so much for that: but for the solid—the substantial—the staff of life—bread, *one halfpenny*. So it is with this flourishing Company: they have millions of bonds, of debts; but of silver they have one solitary thousand pounds.

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The next article is for the advance of freight, to be deducted on the arrival of the ships, £172,334. To this article I have very great and solid objections: it is a piece of complete and most unpardonable fallacy. They state, in their favour, the advanced freight which they have paid; but they have not taken against them, on the other side, the sum of freight and demurrage which they will have to pay. To show the fallacy of this article, I would suppose that I had £1000 to pay on my note next Monday, of which, however, I had already advanced £100: in estimating this account I took to my favour the £100 which I had paid, but took no notice, nor made any provision for the £900 which I had to pay. The Company have advanced the freight on fifty-three ships: of these, fourteen have come home, and there are still thirty-nine ships behind; but of these, two have been burnt and blown up: so that there remain thirty-seven ships in India, and coming home, on which the remaining freight and demurrage is to be paid; and this is to be estimated at £50,000 a ship. So that, instead of this sum which they have taken to their credit, they are to be charged in this account with £1,850,000, for which they are bound, and which they must pay. This I call a very unpardonable fallacy. I desire to know what Parliament would think of any responsible minister, paymaster, or servant, who
 should

should act in this manner. Or is it possible, that any man appointed under the present bill, and accountable to this House, could present an account so miserably deficient as this is.

The next sum is a small charge for their shipping in England; it is only £12,300; and I might say, *de minimis non curat prætor*: but still I must say a few words on the subject, as it shows to what shift the Company thought themselves driven, when they would suffer such an article to be brought into an account; it could be merely for the purpose of swelling, at all events, the total. This sum is estimated to be the value of ships and vessels employed by the Company in England. The meaning of this is, that the sale of these vessels would produce that sum: but as such a sale could be thought of only in case the Company were going to sell off all their stock, and give up business, I would object to the article; because as nothing could be farther from my intention than to dissolve the Company, so no such sale can take place while they exist. The article of £253,616 is exceptionable on the same ground: the Company's houses and buildings in London are estimated at that sum; but, as they are not to be sold, I would object to the carrying of that sum to the account of ways and means of the Company. If brought forward, it is to be brought forward on the presumption of their bankruptcy; a presumption which I never made, and which could not be taken.

To

To the article of £703,824, taken at the prime cost of four cargoes on their passage from Bengal, I object in part. It ought to have been stated, what was very well known, that the Company suffered a considerable loss by Bengal goods; and this loss ought to have been deducted from the prime cost of the four cargoes.

N^o XX. *Part 3^d of CicerO's Oration
for MILO.*

THEREFORE, my Lords, that we may at last come to the nature of this crime, and the merits of the question; if the confession of the fact is by no means unprecedented, if the determination of the Senate has been entirely agreeable to what we contended for, if the very enactor of the law was of opinion, that, though no question of fact could arise, yet there might of law; if the judges who were chosen, if the president who was appointed, were men who can distinguish upon all those points with equity and understanding, all that remains now, my Lords, to be discussed is, who the party was that laid the ambush for the other. That I may more easily and clearly handle this point, I beg your attention, while I give a short state of the fact.

After Publius Clodius had resolved, when created Prætor, to plague his country with every species of oppression, and saw from the tedious
manage-

management of the Comitia the year before, that he could not for many months enjoy his dignity; not considering it as a step to other public honours, as the rest of the candidates did; unwilling to act as colleague with a citizen of the consummate virtue of Lucius Paulus, and desirous of having his power to oppress his country extended to twelve months, he all of a sudden reserved the interest, he had made for that year, to the succeeding; not from any religious scruple, but, as he himself owned, that he might have a full and complete year, for enjoying his prætorship, or, in other words, for ruining his country.

He reflected, that the exercise of his prætorial power must be cramped and feeble, should Milo be Consul, whom he perceived the universal applause of the Roman people was ready to raise to that dignity.—He then struck in with the candidates who opposed Milo, but so as to manage the whole solicitations, and over-rule them in every instance; that, as he himself boasted, he might support all the courts of justice upon his own shoulders. He summoned the tribes: he thrust himself into their deliberations, and formed a new Collinian tribe, by enrolling into it a number of the most abandoned citizens. The more that Clodius endeavoured to confound, the more Milo appeared to prevail. But, when the execrable villain saw this brave man, this irreconcilable

concileable foe must infallibly be Consul; when he found his election sure, not only by the discourses, but by the votes of the Roman people, he then threw off the mask, and openly declared that Milo must be slain.

He next brought from the Appenines those rustic barbarous slaves, whom you used to see, by whom he had depopulated the public forests, and plundered Tuscany. This was by no means a dark transaction; for he openly boasted, that, if he could not deprive Milo of the consulate, he could of his life. This he hinted in the senate, and declared in the assembly: for when Favonius, a man of virtue and courage, asked him, what had become of all his hopes of gratifying his fury, if Milo lived? he answered, that in three or four days Milo should be dead. This expression was immediately communicated to Marcus Cato by Favonius.

In the mean time, as soon as Clodius knew, as it was easy for him to do, that Milo was to set out upon a solemn, a legal, an indispensable duty, and that he was obliged by the 18th of January to be at Lanuvium, where he was Dictator, in order to appoint a priest, he suddenly went from Rome, as appears by the event, that he might surprise Milo in his own grounds: nay, he was so precipitately bent upon his treachery, as to leave a tumultuous meeting which he had summoned that very day, and which re-

quired

quired to be animated by his own factious spirit. This, he never would have done, had he not been resolved to be exact to the precise time and place of the assassination.

But Milo, after having been in the senate that day till the house broke up, came home, shifted his shoes and his clothes, and, as usual, waited a little, while his wife was getting ready. He then set out, much about the time when Clodius, had he designed to come to Rome that day, might have returned. Clodius meets him, equipped, upon horseback, unattended by his chariot, without any incumbrances, without any of his usual Grecian servants, and, what was more extraordinary, without his wife; while the traitor before you, who had set out with a murderous intention, was riding in a chariot with his wife, muffled up in his cloak, surrounded by a numerous incumbrance of common servants, fearful women, and feeble boys.

About an hour before sun-set he meets Clodius near his own estate. A body of men, taking advantage of a rising ground, immediately attack him with their darts: his coachman is killed. He himself, throwing off his cloak, springs to the ground, that he might sell his life as dear as he could. The party which was with Clodius, drawing their swords, ran back to the chariot that they might attack him behind; another party, who imagined him already dead, be-

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gan to murder his slaves who had not come up : some of them, who were true to their master, and were most forward, were killed ; while the others saw the encounter near the chariot, and, unable to advance to their master's assistance, heard from Clodius himself that he was dead, and actually believed he was : the slaves of Milo then acted (I speak not with an intention to shift the charge, but to represent the fact), without the orders, without the knowledge, without the presence of their master, as every man would with his own servants should act, were he in the like circumstances. What I have laid before you, my Lords, is the naked fact. The traitor was conquered : force was repelled by force, or rather audaciousness was overpowered by courage. I shall not mention the consequences of this action to the republic, to you, its consequences to every good man : they are not, it is true, of any service to Milo, whose destiny is such, that he could not even preserve himself without saving you and his country. If this was unwarrantable, I will then give up his defence. But if reason prescribes to the instructed, necessity to barbarians, customs to nations, and instinct to brutes, that they ought, by every means they can call in to their assistance, to repel all violence offered to their bodies, their reputations, or lives ; you, my Lords, surely cannot adjudge this to be an unlawful action, without at the same time putting

ting every man, who falls into the hands of ruffians, upon the melancholy alternative of perishing, either by their swords, or your decisions.

Had Milo, my Lords, been of this opinion, it had been much more eligible for him to have exposed his throat to the sword of Clodius, more than once before lifted against his life, than to be put to death by you, only for refusing to be butchered by him. But, if you are unanimously of a contrary opinion, the proper question then is not, if Clodius was killed, for that we confess; but if he was killed justly or unjustly; a point of enquiry that has been before canvassed in many trials. That treachery has been practised, is certain; and this is what the senate adjudged to be an act of treason. By whom it was practised is uncertain; therefore this court was constituted to inquire. Thus the decree of the senate related to the action, not to the man; and Pompey appointed the trial, not upon the matter of fact, but of law. Is there therefore nothing else to be decided here, but who was the aggressor? Nothing. If Milo was, whether he ought to be unpunished? If Clodius was, whether he ought not to be acquitted?

But how can it be proved that Clodius way-laid Milo? It is enough, my Lords, if so lawless, so presumptuous a brute found strong reasons persuading, flattering hopes inviting, and vast

vaſt advantages ariſing from the death of Milo. The queſtion of Caſſius therefore, what end could it ſerve, is very applicable here. Though no advantage can tempt good men, very trifling conſiderations lead the wicked into crimes. Clodius, by the death of Milo, was to gain not only this point, that, when he ſhould be Prætor, the villany of his conduct could be under no check from Milo as Conſul; but likewise, that he muſt have been prætor under ſuch Conſuls, by whoſe connivance, if not aſſiſtance, he ſtill hoped that he might brave the republic in his frantic projects: he farther conjectured, that they would not, had it been in their power, oppoſe his deſigns, ſince they lay under ſo ſtrong obligations to him; and that, perhaps, it might have been out of their power, had they attempted to chaſtiſe the preſumption of ſo abandoned a wretch, now confirmed and hardened by a long perfeverance in wickedneſs.

Are you, my Lords, alone ignorant? Are you only paſſengers in this city? Are you ſtrangers to what was the common talk of the town, which makes no ſecret of the laws (if they deſerve that name rather than that of the torches and plagues of the city) with which he deſigned to brand and to fetter us all? Sextus Clodius, produce, produce, I ſay, that register of your laws, which they ſay you ſnatched, like another Palladium, from his houſe, amidſt the terror of arms
and

and nocturnal riot, that you may transfer that illustrious legacy, that system of government, to some future Tribune, if you can meet with any such, whose conduct shall be directed by your will. Now he surveys me with that look, that insolence of look, with which to every citizen he used to threaten every insult. I am indeed struck with that light which breaks from our courts of law. But can you imagine, Sextus, that I am incensed against you; you, who inflicted a more cruel punishment upon the man I most hated, than my humanity suffered me to require? You threw the bloody corse of Publius Clodius out of his house, you threw it into the public streets; you by night abandoned it, stripped of its images, pageantry, pomp, and praise, half consumed with unhallowed wood, as a prey to prowling dogs. All this, though you did it to a lawless wretch, yet can I not commend it; but, as my enemy was the object of your cruelty, surely I have no reason to be offended.

You saw, my Lords, that the prætorship of Clodius could neither have begun nor ended, without putting the public under the strongest apprehensions of a fatal revolution, unless the man, who had both the courage and ability to controul him, should be Consul. As the whole Roman people threw their eyes upon Milo for this purpose, what citizen could have hesitated a moment to have bestowed his vote in delivering himself
from

from dread, and his country from danger? But, now that Clodius is removed, it requires extraordinary efforts in Milo to support his election. The glory which was peculiar to him, and which daily increased by his stemming the Clodian fury, is now vanished by the death of Clodius. You, my Lords, need now fear no citizen: but Milo has lost the object that exercised his courage, the interest that supported his election, and the fountain that supplied his glory. The election of Milo to the consulate, which in the life-time of Clodius could not be defeated, now that he is dead, begins to be disputed. Thus the death of Clodius not only is of no advantage to, but has weakened the interest of Milo.

But it may be said that hatred prevailed, anger prompted, and resentment pushed him on: he avenged his own wrongs, he redressed his own grievances. No, my Lords, I will prove that these were motives, I will not say more prevalent in Clodius than in Milo, but existing with the one in the highest degree, with the other in none; and what require you more? For why should Milo bear to Clodius, that source, that ripener of his glory, any other resentment than what every patriot ought to bear to every ruffian? But the enmity of Clodius was grounded first on Milo, being the restorer and protector of my liberty and life; then, upon his opposing and controuling his violence and fury; and lastly,
upon

upon his commencing his accuser : for Clodius, as long as he lived, was liable to be convicted by Milo upon the Plotian law. Can you, my Lords, imagine that all this could go easily down with the overbearing spirit of Clodius ? How deep, and in an unjust person even how justifiable, must have been his hatred !

It now remains that Clodius should be vindicated, by arguments drawn from his manners and character, and that these must convict Milo. It must be proved that Clodius was all gentleness, and Milo all violence ! How so, my Lords ? When I bad my melancholy adieu to you and this city, did I decline standing my trial, or did I not retire from the slaves, the arms, and the outrages of Clodius ? Then where was the justice in restoring me to liberty, if he could be justified in driving me into exile ? He had summoned me, I know he had, to take my trial ; he had amerced me in a fine, and impeached me of treason. Had I reason to dread the event of a trial in a cause, which, as it related to you, was infamous, and, as it concerned me, inglorious ? Was this the case ? No : but I was unwilling to expose my countrymen, whose liberties my counsels had preserved, and whose lives my dangers had saved, to the swords of needy slaves and profligate citizens.

I saw, my Lords, I saw Quintus Hortensius, the present light and ornament of the republic, almost assassinated by slaves while he assisted me ;
and

and in the same tumult, the excellent Marcus Vibienus, a senator, who was in his company, was mortally wounded. When did the dagger, bequeathed to Clodius by Catiline, afterwards rest in its sheath? He aimed it at me; but I was unwilling that you, my Lords, should intercept the stroke. It threatened the life of Pompey, and stained the Appian way, that monument of the Clodian family, with the blood of Papyrius. The same, the very same dagger, you know it, was, after long intermission, again lifted to my breast, and lately had almost put an end to my days at the Palatium.

Nº XXI. - *Part 3d of the first Philippic of*
 DEMOSTHENES.

AND now, Athenians! what is the reason, (think ye) that the public festivals in honour of Minerva and of Bacchus are always celebrated at the appointed time, whether the direction of them falls to the lot of men of eminence, or of persons less distinguished, (festivals which cost more treasure than is usually expended upon a whole navy; and more numbers, and greater preparations, than any one perhaps ever cost) while your expeditions have been all too late, as that to Methone, that to Pegaseæ, that to Potidæa? The reason is this: every thing relating to the former is ascertained by law; and every one of

H

you

you knows long before, who is to conduct the several entertainments in each tribe; what he is to receive, when, and from whom, and what to perform. Not one of these things is left uncertain, not one undetermined. But in affairs of war, and warlike preparations, there is no order, no certainty, no regulation. So that, when any accident alarms us, first, we appoint our Trierarchs; then we allow them the exchange; then the supplies are considered. These points once settled, we resolve to man our fleet with strangers and foreigners; then, find it necessary to supply their place ourselves. In the midst of these delays, *what* we are failing to defend, the enemy is already master of; for the time of action we spend in preparing; and the junctures of affairs will not wait our slow and irresolute measures. These forces too, which we think may be depended on, until the new levies are raised, when put to the proof plainly discover their insufficiency. By these means, hath he arrived at such a pitch of insolence, as to send a letter to the Eubœans, conceived in such terms as these:

[*The Letter is read.*

What hath now been read, is for the most part true, Athenians! too true! but perhaps not very agreeable in the recital. But if, by suppressing things ungrateful to the ear, the things themselves

themselves could be prevented, then the sole concern of a public speaker should be to please. If, on the contrary, these unseasonably pleasing speeches be really injurious, it is shameful, Athenians! to deceive yourselves, and, by deferring the consideration of every thing disagreeable, never once to move until it be too late; and not to apprehend that they who conduct a war with prudence, are not to follow, but to direct events; to direct them with the same absolute authority, with which a general leads on his forces; that the course of affairs may be determined by them, and not determine their measures. But you, Athenians! although possessed of the greatest power of all kinds, ships, infantry, cavalry, and treasure; yet, to this day, have never employed any of them seasonably, but are ever last in the field. Just as barbarians engage at boxing, so you make war with Philip: for, when one of these receives a blow, that blow engages him: if struck in another part, to that part his hands are shifted: but ward off the blow, or to watch his antagonist—for this, he hath neither skill nor spirit. Even so, if you hear that Philip is in the Chersonesus, you resolve to send forces thither; if in Thermopylæ, thither; if in any other place, you hurry up and down, you follow his standard. But no useful scheme for carrying on the war, no wise provisions are ever thought of, until you hear of some enterprise

in execution, or already crowned with success. This might have been formerly pardonable ; but now is the very critical moment when it can by no means be admitted.

It seems to me, Athenians ! that some divinity, who from a regard to Athens looks down upon our conduct with indignation, hath inspired Philip with this restless ambition : for, were he to sit down in the quiet enjoyment of his conquests and acquisitions, without proceeding to any new attempts, there are men among you, who, I think, would be unmoved at those transactions, which have branded our State with the odious marks of infamy, cowardice, and all that is base. But, as he still pursues his conquests, as he is still extending his ambitious views, possibly he may at last call you forth, unless you have renounced the name of Athenians. To me it is astonishing, that none of you looks back to the beginning of this war, and considers that we engaged in it to chastise the insolence of Philip ; but that now it is become a defensive war, to secure us from his attempts. And that he will ever be repeating these attempts, is manifest, unless some power rises to oppose him. But, if we wait in expectation of this ; if we send out armaments composed of empty galleys, and those hopes with which some speaker may have flattered you ; can you then think your interests well secured ? Shall we not embark ? Shall we not fail, with
at

at least a part of our domestic force, now, since we have not hitherto?—But where shall we make our descent?—Let us but engage in the enterprise, and the war itself, Athenians! will shew us where he is weakest. But if we sit at home, listening to the mutual invectives and accusations of our orators, we cannot expect, no, not the least success, in any one particular. Wherever a part of our city is detached, although the whole be not present, the favour of the Gods and the kindness of Fortune attend to fight upon our side; but when we send out a general, and an insignificant decree, and the hopes of our speakers, misfortune and disappointment must ensue. Such expeditions are to our enemies a sport, but strike our allies with deadly apprehensions. For it is not possible for any one man to perform every thing you desire. He may promise, and harangue, and accuse this or that person: but to such proceedings we owe the ruin of our affairs. For when a general who commanded a wretched collection of unpaid foreigners, hath been defeated; when there are persons here, who, in arraigning his conduct, dare to advance falsehoods; and when you lightly engage in any determination, just from their suggestions; what must be the consequence? How then shall these abuses be removed?—By offering yourselves, Athenians! to execute the commands of your general, to be witnesses of

his conduct in the field, and his judges at your return : so as not only to hear how your affairs are transacted, but to inspect them. But now, so shamefully are we degenerated, that each of our commanders is twice or thrice called before you to answer for his life, though not one of them dared to hazard that life by once engaging his enemy. No ; they choose the death of robbers and pilferers, rather than to fall as becomes them. Such malefactors should die by the sentence of the law. Generals should meet their fate bravely in the field.

Then, as to your own conduct,—some wander about, crying, Philip hath joined with the Lacedemonians ; and they are concerting the destruction of Thebes, and the dissolution of some free states. Others assure us he hath sent an embassy to the king ; others, that he is fortifying places in Illyria. Thus we all go about, framing our several tales. I do believe indeed, Athenians ! he is intoxicated with his greatness, and does entertain his imagination with many such visionary prospects, as he sees no power rising to oppose him, and is elated with his success ; but I cannot be persuaded that he hath so taken his measures, that the weakest among us know what he is next to do (for it is the weakest among us who spread these rumours). Let us disregard them : let us be persuaded of this ; that he is our enemy ; that he hath spoiled us of our dominions ;
that

that we have long been subject to his insolence ; that whatever we expected to be done for us by others, hath proved against us ; that all the resource left is in ourselves ; that, if we are not inclined to carry our arms abroad, we may be forced to engage here :—let us be persuaded of this, and then we shall come to a proper determination ; then shall we be freed from those idle tales. For we are not to be solicitous to know what particular events will happen ; we need but be convinced nothing good can happen, unless you grant the due attention to affairs, and be ready to act as becomes Athenians.

I, on my part, have never upon any occasion chosen to court your favour, by speaking any thing but what I was convinced would serve you. And, on this occasion, I have freely declared my sentiments, without art, and without reserve. It would have pleased me indeed, that, as it is for your advantage to have your true interest laid before you, so I might be assured that he who layeth it before you, would share the advantage : for then I had spoken with greater alacrity. However, uncertain as is the consequence, with respect to me, I yet determined to speak, because I was convinced that these measures, if pursued, must have their use. And of all those opinions which are offered to your acceptance, may that be chosen, which will best advance the general weal !

Nº XXII. CATILINE to his *Associates*.
(Sall. Bell. Cat.)

HAD I not already well proved your faith and bravery, the present opportunity would have offered to no purpose ; vain would have been all our mighty hopes ; in vain would the power of seizing the commonwealth have dropped into our hands : neither should I, trusting to impotent assistants, or to men unworthy of trust, have risked certainties for uncertainties. But since, upon very many, and very extraordinary emergencies, I have known you undaunted in your persons, and inseparably attached to mine, my soul is daring enough to engage in an adventure, at once of the highest consequence, and of the highest glory.

I have a farther incitement, when I consider, that the same lot which attends me, good or bad, attends you : and to have the same wishes, and the same dislike, is the solid band of amity.

What a scheme I have projected, you have already been all, severally, informed : I now add, that my ardour to pursue it increases daily, whilst I recollect what a sad lot of life abides us, if we do not rouse, and redeem our common liberty : for ever since the commonwealth has fallen under the rule and controul of a few grantees, to these few are kings and princes subject and tributary ; to these few do nations and people pay

pay taxes ; whilst all the rest of us Romans, however brave, however deserving, noble or plebeian, have remained a forlorn crowd, destitute of credit, secluded from employments, and slaves to these men ; men who, would the Commonwealth resume her own frame and vigour, would find us a terror to them.

So that all credit, all sway, all preferment and riches, are confined to them, or to those whom they favour. To us, for our portion, they have left perils and fears, the infamy of repulses from public dignities, the rigorous judgements of the tribunals, and the pangs of indigence.

Such are our grievances ! How long will you bear them ? You, who are valiant men, extremely valiant ? Is it not more eligible to meet death in a brave attempt, than, holding our life in wretchedness and dishonour, to bear the scorn of insulting men ; and even then to lose it ignominiously ?

Besides all this, I appeal to Gods and to men, that success and victory are in our own hands : we are in the vigour of life, and suitably brave. It is not so on the other side : they are oppressed with years and opulence, and every way bereft of force. Nothing further is wanting, than to make the attempt. The rest, the natural course of proceeding will execute.

In truth, what mortal, who has the spirit of a man, can bear the unequal lot, that whilst they

have riches in excess, even to lavish upon structures in the deep, nay in levelling mountains, our domestic means are too narrow to procure us the necessaries of life? that, when they are adding seat to seat and multiplying their mansions, to us there remains not any certain abode? Though they are purchasing pictures, statues, and curious works of sculpture; though they go on in building, then again pull down, and then rebuild; in short, though in every wasteful way they dissipate, and restlessly confound their treasure; yet, with all their wild profusion, they are unable to master and exhaust their wealth.

As for us, we have pinching poverty at home; abroad, debts, and the dread of creditors: our present situation, therefore, is abundantly grievous; yet accompanied with apprehensions of evils still more alarming. To conclude, what remains to us, but life and misery?

How then? will you not rouse to action? Behold the objects after which you have long yearned! Behold liberty! and with it riches, public dignities, and applause, all placed full in your view! All these recompences fortune has prepared for the conquerors. You have, indeed, motives to urge you, stronger than any speech of mine; even the present conjuncture and opportunity, the danger hanging over us, the wants that press us, with the glorious spoils of war.

For

For myself, use me how you list; as your leader, or as a private soldier: neither in council, nor in execution, will I ever fail you. But I hope first to be Consul, and then concert with you how to conduct this our common enterprise; provided, after all, I be not mistaken about you, and you be not determined to prefer bondage to empire.

Nº XXIII. METIUS FUFETIUS, *to the Alban Tribunes.* (Dionys. Halicar.)

TRIBUNES and CENTURIONS,

I AM going to impart to you, great and unexpected things, which I have hitherto concealed: I beg of you to keep them secret,—otherwise you will ruin me;—and, —if you think the success of them will be of advantage to you, assist me in the execution of them. The shortness of the time will not allow me to say many things;—for which reason, I shall mention only those that are most necessary. From the time we became subject to the Romans, to this day, I have led a life full of shame and grief, though honoured by their king with the sovereign command; this being the third year I have been possessed of it, and may, if I please, enjoy it as long as I live. But I look upon it as the greatest of all evils, to be the only happy man in an unhappy commonwealth; and, find-

ing, that, contrary to all the rights mankind look upon as sacred, we have been deprived by them of the sovereignty, I considered of the means to recover it, without exposing ourselves to any great calamity:—after many and various reasonings upon this subject, the only measure I could think of, that promised success, and at the same time seemed the easiest and the least dangerous, was to take advantage of the first war raised against them by their neighbours:—for I foresaw that, in such a situation, they would want the assistance of their allies, and particularly of us: and, after that, I supposed you would without much difficulty, be convinced that it is more glorious, as well as more just, for you to fight for your own liberty, than for their power. After I had considered these things, I, underhand, contrived a war to be raised against the Romans, by their own subjects, encouraging the Veientes and Fidenates to take arms, by a promise of my assistance: hitherto, these intrigues, and my preparations to attack the Romans with advantage, have been concealed from them. Now, consider the many benefits we shall receive from this measure: first, by not having openly taken a resolution to revolt, in which there was a double danger, either to be hurried on unprepared, and, trusting to our own strength only, to hazard the whole;—or, while we were making preparations, and soliciting assistance, to be prevented

vented by those who were already prepared ; we shall now be exposed to neither of these difficulties, but, extract whatever is useful from both : in the next place, we shall not attempt by force, to destroy the great and almost invincible power and fortune of our enemies, but by those means by which all over-bearing men, and those who can hardly be subdued by force, are taken, that is, by fraud and artifice ; a method, of which this will neither be the first, nor the only example. Besides, as our own forces are inferior to the whole power of the Romans and their allies, I have secured the assistance of the Fidenates, and the Veientes, whose great numbers you see before you ; and I have also taken the necessary precautions, that these auxiliaries, while they assist us, may, with all possible confidence, be depended on, in adhering to our alliance : for our territories will not be the scene of action ; but, while the Fidenates are fighting for their own country, they will, at the same time, defend ours. Add to this, that we shall have also this advantage, which all men look upon as most agreeable, and of which there are few examples in past ages, that, while we receive a benefit from our allies, we shall be thought to confer one on them. And, if our enterprize succeeds, as we have reason to expect, the Fidenates and the Veientes, in delivering us from a grievous subjection, will think themselves as
much

much obliged to us, as if we had delivered them from the like subjection. These are the measures which I have concerted with great care, and which I look upon as sufficient to embolden and excite you to revolt. I shall now inform you of the manner in which I propose to carry them into execution. Tullus has assigned me my post under the hill, and given me the command of one of the wings: when we are going to engage the enemy, I will quit my post, and begin to march up the hill; you are then to follow me with your troops in their proper order. When I have gained the top of the hill, and am securely posted, observe in what manner I propose to conduct the sequel of this enterprise. If the event answers my expectation, and I see the enemy grow bold from a confidence of our assistance, and the Romans disheartened, and terrified, from an apprehension of being betrayed by us, and (as may be expected) preparing rather to fly than to fight, I will fall upon them; and as I shall come down from an eminence to the plain, and, with an army in heart and good order, attack men trembling and dispersed, I will cover the field with dead bodies: for the apprehension, though ill grounded, of the treachery of allies, or of an attempt from fresh enemies, is fatal in war; and we know that many great armies have been utterly destroyed by no
other

other formidable circumstance, so much as by a vain fear.

But our attempt will prove no vain report, no unseen terror, but an action, of all others, the most dreadful, both in appearance and reality. However,—if I find things fall out contrary to my expectations, (for I think myself obliged to take notice of those incidents, also, that often happen contrary to our opinions; since many even improbable things befall us in the course of our lives) I shall then also endeavour to act contrary to what I before proposed: for I shall lead you against the enemy in conjunction with the Romans, assist these in gaining the victory, and pretend that I possessed myself of the eminence, with an intention to surround the former; which pretence, as my actions agree with it, cannot fail of gaining credit: so that, without partaking in the dangers of either side, we shall have a share in the good fortune of both. These, therefore, are my resolutions, which, with the assistance of the Gods, I design to pursue, as the most advantageous, not only to the Albans, but to the rest of the Latines.—It is your duty, in the first place, to observe secrecy; next, to keep your ranks; to yield a quick obedience to the orders you shall receive; to fight bravely, yourselves; and to infuse the same alacrity into all who are under your command, remembering that we do not contend for liberty, upon the same terms
with

with those who have been accustomed to obey, and who have received that form of government from their ancestors : for we are free ourselves, and descended from freemen ; and to us our ancestors have left an hereditary command over our neighbours, as a system of government, preserved by them near five hundred years, of which let us not deprive our posterity. Let no one entertain a fear lest, by pursuing what I propose, he should dissolve the treaties, and transgress the oaths, by which they were confirmed :—on the contrary, let him consider that he will restore those treaties which the Romans have violated, to their primitive force, those important treaties, I mean, which human nature has established, and the general law both of the Greeks and Barbarians confirmed, that parents shall command and give laws to their children, and mother-cities to their colonies : these treaties, which are inseparable from human nature, we, who desire they may for ever remain inviolate, do not transgress ; neither have we reason to apprehend, that the wrath of the Gods or the Genii will pursue us, as guilty of an impious action, if we repine at being slaves to our own posterity ; but those who have dissolved them from the beginning, and attempted, by an unjustifiable action, to set up the law of man above that of heaven : and the anger of the Gods will, with all justice, oppose *them*,
not

not *us*;—and the indignation of men will fall upon *them*, rather than upon *us*.

If, therefore, you are of opinion that these resolutions will be the most advantageous to all of you,—let us pursue them, calling the Gods and Genii to our assistance: but if any of you are of a contrary opinion, and entertain one of these two sentiments, either that we ought never to recover the ancient dignity of our city;—or, that in expectation of a more favourable opportunity, we should defer our undertaking for the present; let him make no difficulty to propose his thoughts to the assembly: for we shall pursue whatever resolution you shall unanimously approve of.

Nº XXIV. ATHERBAL *against* JUGURTHA.

CONSCRIPT FATHERS,

IT was my father's order to me, in his last moments, that I should consider myself as vested only with the administration of Numidia, since the title and sovereignty were, indeed, yours. He added, that I should endeavour to render all possible aid to the Roman people, whether in peace or in war; should esteem you as my kindred, consider you as supplying the place of relations and alliances. If I observed these conditions, he said, that in your friendship I should find armies and wealth, with every
stay

stay and support to my monarchy. Whilst I was setting myself strictly to perform these injunctions of my father, Jugurtha, a man, of all that the earth bears, the most barbarous and sanguinary, despoiled me of my kingdom, with whatever else I possessed, in utter defiance of your authority; not regarding that I am the grandson of Massinissa, and, from my birth, a friend and confederate of the Roman people.

The truth is, Conscrip Fathers, seeing I was to fall to this degree of wretchedness, I earnestly wish I could have sought your aid, rather on account of my own merit, than those of my forefathers; especially that I could have merited such aid from the Roman people, without wanting it, or at worst have received it, as my due. But, since innocence rarely proves its own defence, and as it lay not in my breast to direct the heart of Jugurtha, to you, Conscrip Fathers, I have fled for refuge.

What is my severest misery, I am constrained to be burthen some to you, without ever having been serviceable. Other kings, your confederates, have been either subdued by your arms, and then received into your alliance, or, urged by perils at home, have implored your friendship. Our family commenced allies to the Roman people, during the war with Carthage;—a period when the Roman honour was more to be courted than the Roman fortune.

Consider

Consider me, Conscript Fathers, as sprung from that family; nor suffer the grandson of Massinissa to apply to you in vain for succour. If, in order to obtain it, I had no argument to urge, besides my deplorable fortune, that I, very lately a king, redoubtable in my descent, in my wealth, and in royal renown, am now covered with variety of wretchedness, beggarly, forlorn, and waiting for assistance from others; it shall become the Majesty of the Roman people, to curb oppression, and to suffer no man to extend his dominion by iniquity and violence. Consider me in yet a stronger light, driven out of the very possessions which the Roman people conferred, as their gift, upon my ancestors;—those very possessions, from whence my father, and his father, joining their forces to yours, expelled Syphax and the Carthaginians. They are the effects of your bounty, that are rent from me, Conscript Fathers:—in my sufferings you are insulted.

Alas my deplorable fate! Is this the return to thy generosity and favour, O my father! that Jugurtha, he whom thou didst place upon the same footing with thy own children; he whom thou didst leave equal partner with them in thy kingdom, is, of all others, the bloody instrument to extinguish thy race for ever? Shall our house never enjoy tranquillity and rest? Shall we be for ever visited with a bloody lot;—with the murdering sword, with flight and expulsion?

Whilst

Whilst the power of Carthage subsisted, we were of course exposed to hostility and violence. The enemy was at our doors; you, our friends, were far from us;—our whole reliance upon our arms. After Africa was rescued from that pestilent tyranny, we cheerfully enjoyed a state of peace; for, indeed, we had no enemies, though still disposed to treat as such whomsoever you should command us; when, on a sudden, Jugurtha, hardening his heart to cruelty, and glorying in pride and butchery, murders my brother, who was also his near kinsman, and seizes his principality, as the prize of the murderer. Then, seeing he could not circumvent me by the same bloody snares, he attacked me openly, whilst I (confiding in your supreme power) apprehended any thing rather than violence and war; drove me from my household, and my country; reduced me to be an exile, and a wanderer; such as you behold me, destitute of all comfort, and so overwhelmed with every species of wretchedness, as to find more safety any where than in my own dominions.

Nº XXV. *Part of DEMOSTHENES's Oration
on the State of Chersonesus.*

IT were to be wished, Athenians! that they who speak in public would never suffer hatred or affection to influence their counsels; but, in all that they propose, be directed by unbiassed reason,
—particularly

—particularly when affairs of state, and those of highest moment, are the object of our attention. But since there are persons whose speeches are partly dictated by a spirit of contention, partly by other like motives; it is your duty, Athenians! to exert that power which your numbers give you, and in all your resolutions, and in all your actions, to consider only the interest of your country.

Our present concernment is about the affairs of the Chersonesus, and Philip's expedition into Thrace, which hath now engaged him eleven months: but most of our orators insist upon the actions and designs of Diopithes.—As to crimes objected to those men, whom our laws can punish when we please; I, for my part, think it quite indifferent, whether they be considered now, or at some other time; nor is this a point to be violently contested, by me or any other speaker. But, when Philip, the enemy of our country, is now actually hovering about the Hellespont, with a numerous army, and making attempts on our dominions, which if one moment neglected, the loss may be irreparable; here our attention is instantly demanded: we should resolve, we should prepare, with all possible expedition, and not run from our main concern, in the midst of foreign clamours and accusations.

I have frequently been surprised at assertions made in public; but never more than when I
heard

heard it lately affirmed in the senate, that there are but two expedients to be proposed, either absolutely to declare war, or to continue in peace. The point is this : if Philip acts as one in amity with us ; if he does not keep possession of our dominions, contrary to his treaty ; if he be not every where spiriting up enemies against us ; all debates are at an end ; we are undoubtedly obliged to live in peace, and I find it perfectly agreeable to you. But if the articles of our treaty, ratified by the most solemn oaths, remain upon record, open to public inspection ; if it appears that long before the departure of Diopithes and his colony, who are now accused of involving us in a war, Philip had unjustly seized many of our possessions (for which I appeal to your own decrees) ; if, ever since that time, he has been constantly arming himself, with all the powers of Greeks and Barbarians, to destroy us ; what do these men mean, who affirm we are either absolutely to declare war, or to observe the peace ? You have no choice at all ;—you have but one just and necessary measure to pursue, which they industriously pass over.—And what is this ?—To repel force by force ;—unless they will affirm, that, while Philip keeps from Attica and the Piræus, he does our State no injury,—makes no war against us. If it be thus they state the bounds of peace and justice, we must all acknowledge that their sentiments are inconsistent with the

the

the common rights of mankind,—with the dignity and the safety of Athens.

Besides, they themselves contradict their own accusation of Diopithes. For, shall Philip be left at full liberty to pursue all his other designs, provided he keeps from Attica; and shall not Diopithes be permitted to assist the Thracians?—and, if he does, shall we accuse him of involving us in a war?—But this is their incessant cry, “our foreign troops commit outrageous devastations on the Hellespont: Diopithes, without regard to justice, seizes and plunders vessels! These things must not be suffered!”—Be it so:—I acquiesce!—but while they are labouring to have our troops disbanded, by inveighing against that man whose care and industry support them; (if they really speak from a regard to justice) they should shew us, that if we yield to their remonstrances, Philip’s army also will be disbanded: else it is apparent, that their whole aim is to reduce the State to those circumstances which have occasioned all the losses we have lately suffered. For, be assured of this, that nothing hath given Philip such advantage over us, as his superior vigilance in improving all opportunities. For, as he is constantly surrounded by his troops, and his mind perpetually engaged in projecting his designs, he can, in a moment, strike the blow where he pleases. But we wait till some event alarms us: then we are in motion, then we prepare.

pare. To this alone I can impute it, that the conquests he hath lately made, he now enjoys in full security ; while all your efforts are too late, all your vast expences ineffectual : your attempts have served only to discover your enmity and inclination to oppose him ; and the consequences of your misconduct are still farther aggravated by the disgrace.

Nº XXVI. GENERAL BURGOYNE, *on his Defence against Charges of Cruelty and Inhumanity.*

I HAVE ever esteemed the India alliances, at best, a necessary evil. I ever believed their services to be overvalued ; sometimes insignificant, often barbarous, always capricious ; and that the employment of them was only justifiable, when, by being united to a regular army, they could be kept under controul, and made subservient to a general system.

Upon this principle I heartily concurred with that gallant and humane General, Sir Guy Carleton, in the year 1776, to decline the offers and solicitations of the Indians to be then employed separately : the impossibility of completing the preparations for passing the regular troops over the lakes, made it impossible to employ them conjunctively.

In that year, Sir, it was my lot, by delegation from Sir Guy Carleton, who was then at Quebec, to preside at one of the greatest councils with the
Indians

Indians that had been held at Montreal. Many gentlemen here knew, that the ceremony preceding the taking up the hatchet, is to offer to the representative of the power they mean to serve, the pipe of war. It was pressed upon me by the chiefs present; and it was in my power, by a single whiff of tobacco, to have given flame and explosion to a dozen nations. I never felt greater satisfaction than in being able to fulfil the instructions I was charged with, for restraining the impetuous passions of these people: it was a secondary satisfaction, at my return to England, in the winter, to justify the conduct of Sir Guy Carleton in this respect; though the justification was very unpopular, amongst those,—I mean not to particularise ministers, or ministers of ministers,—but among those men, who in their zeal against the Colonists had adopted the reasoning, that “*partial severity was general mercy*,” provided that by carrying terrors it conduced to finish the war. How just soever this principle may be, my mind is not of a texture for carrying it into effect; and I returned into Canada the following spring, when I succeeded to the command, determined to be the *soldier*, not the *executioner* of the State.

I found care had already been taken by Sir Guy Carleton, upon the same principles of humanity which always direct his conduct, to officer the Indians with gentlemen selected from the British

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troops,

troops, upon a distinction of their temper and judgment, as well as upon that of their valour, and in much greater number than ever was destined to that service before. To these precautions I added that of a favourite priest, who had more controul over the passions of the Indians, than all their chiefs put together; and I trust the expence put upon government to engage that gentleman's assistance, through the course of the campaign, will not be esteemed an improper article in my accounts.

With these assurances, Sir, I was able to enforce obedience to the injunctions of my speech at the Great Council, upon assembling the army, which has been made public. Barbarity was prevented; so much so, that in one instance, two wounded provincial officers were brought off, in the midst of the fire, upon the backs of Indians; and a captain and his whole detachment, placed in ambuscade, were brought prisoners to my camp, by Indians, without a man hurt; though it is evident they were placed for the special purpose of destroying me, upon a reconnoitring party: and I was at that time very popular with the Indians.

I could produce many more instances of the kind, to shew that every possible exertion of humanity was used; and that (the case of *Miss Mecree* excepted, which was *accident*, not *premeditated cruelty*) my design was to excite obedience,
first,

first by encouragement, and next by the *dread*, not the *commission* of severity ;—“ *to speak daggers, but use none.*”

Nº XXVII. CATILINE *to his Soldiers, previous to the Battle which proved decisive both of his Cause and Fate.*

I HAVE found by experience, Fellow-Soldiers, that words increase not bravery ; that a spiritless army is neither rendered hardy, nor a dastardly army valiant, by a speech from the commander. Whatever portion of courage any man possesses, from nature or habit, just so much will he display in battle. Vain it is to exhort that man whom neither glory nor danger can animate : the force of fear deprives him of his hearing. My motive for calling you together, Fellow-Soldiers, was to furnish you with a few points of instruction ; as also to communicate to you my last result, and the ground of it.

You already know, what a dreadful calamity Lentulus has brought at once upon himself and us, by his slowness and lifeless conduct : you know how, by waiting for succours from Rome, I was prevented from marching into Gaul. At present all of you see, as well as I, our sad situation. Two armies of the enemy press us, and obstruct our motions ; one from Rome, another from Gaul. To abide any longer in our present

station, were it ever so much our choice, is utterly denied us, by our scarcity of provisions, and of other necessities ; and whithersoever you choose to remove, you must open yourselves a passage with your swords.

Hence I warn and conjure you to exert your courage, like men determined and undaunted ; and to remember, when you engage, that in your hands you carry wealth, dignity, and glory ; nay, your liberty, and your country. If we overcome, we shall ascertain our own safety on every side ; we shall have store of provision ; the municipal cities and colonies will be open to receive us. But if we shrink, through fear, we shall, in all these particulars, see ourselves utterly crossed and distressed : nor will they whom their arms could not defend, find defence from any station, or from any friends.

You are besides to remember, that you, my Fellow-Soldiers, and the opposite army, are by no means urged to engage by the same or equal motives. Our native country, our common liberty, nay, our lives are the prizes for which we combat. Their task is idle and uninteresting, whilst they fight to support the lordly dominion of a few. Let this rouse you to attack them the more undauntedly, still remembering your former valour and achievements.

We might indeed have passed our days, with infinite infamy, in banishment. Some of you
might

might have staid at Rome, reduced to beggary, and to be dependants upon the affluence of others. As such wretched conditions of life appeared intolerable to brave men, you determined to follow the present course. If you desire to forsake this course, still you must exert your courage undauntedly : in war he only who conquers can change it for peace. In truth, to hope for safety from flight, is downright madness ; for then you turn from the enemy those very arms which serve for your defence against him. During battle, he who is in most fear, is ever in most danger : courage serves for a wall of defence.

When I consider your characters, my Fellow-Soldiers, and recollect your past exploits, high are the hopes which I entertain of victory ; encouraged as I am by your resolution, your age, your heroic virtue, and even by our common necessity ; that necessity which makes cowards brave. The straitness of our situation secures us from being encompassed by our enemies, however numerous. Should fortune desert you in envy to your bravery, be sure not to lose your lives, without ample vengeance upon your foes ; nor suffer yourselves to be taken, and slaughtered like cattle : rather die fighting like men, and thus leave to the enemy a bloody and mournful victory.

N^o XXVIII. *Mr. Fox, on Parliamentary Reform.—1785.*

AFTER the many occasions on which I have before expressed what my sentiments are on the subject of a reform in the representation of the People in Parliament, I shall not consider myself under any great necessity of troubling the House : but there have been extraordinary circumstances attending the introduction of the present question. That I have always been a friend to the principle of the bill, is a fact which does not require to be now repeated. Whether the means taken to effect that principle are such as are most unexceptionable, must remain for future discussion, but cannot provoke my opposition to the motion. There remain ample opportunities in the future stages of the bill, to examine and correct it ; opportunities which in themselves will be the highest acquisition. In the review which has been taken of the question this night, there are means used to implicate the American war in the subject now under discussion, by suggesting that it was supported by the influence of burgage tenures, and that, if they had been withdrawn, that war would have had a more speedy termination. I acknowledge that it would have been in the power of the Parliament to bring that war to a period, had they considered

considered it as an improper one ; but the manner in which it must have been done, would be such as I should little expect to hear recommended from the Gentlemen on the other side of the House. When the delay of a few days in passing the supplies was represented last year as the most heinous proceeding, what would have been the enormity of stopping, not the ordnance supply, as was the case, but all the other supplies also, as would be the case in the event which might here take place ! This would be a conduct worthy of a Parliament in certain situations, and would shew them to be sensible of their due weight and importance in the scale of the constitution, and not the instruments of a superior power, kept for no other purpose but to register edicts, and perform an annual routine. Much has been said of the merit of dissolving that cohesion which has been said to subsist in the parties in this House. That cohesion does subsist, is a truth in which I take too much pride, to think of denying, and from which this country derives too much advantage to be an enemy to : my connections were formed on liberal and systematic principles, and could not be dissolved by any regulations, while the same union in sentiments and principles continued to cement them. When an Honourable Gentleman said, that parties on one side of the House occasioned similar engagements on the other, he should have

considered, that it equally applied to one as to the other: but there might be some circumstances which might induce that Honourable Gentleman to look forward with eagerness to the dissolution of such attachments, if they obliged him to support and defend measures in which his opinions did not correspond; if they forced him to act one way, and think another. Under such circumstances, it was perfectly natural that he should pant to be disengaged from such connections, and resign the load which seemed so much to oppress him. To that principle, which, by a diminution of the members of boroughs, tended to increase the proportion of representatives for counties, I am sincerely and cordially a friend. But while I am thus explicit on the subject of my approbation, it is but just to mention, that there is another point to which I totally disagree. With all respect, which I always pay to the House of Commons, and among the rest to the present House, I can perceive in it no superlative excellence, no just superiority which can justify the suspension of the operation of this bill. To defer for a period of years any system of reform, however partial and inadequate, is by no means complying with the declared wishes of the majority of the electors of this country, whose voice, though by no means to be acknowledged as that to which the House of Commons must conform, when they
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are directed by any sudden impulse, as the opinions of a moment, should always be obeyed on points which the experience and consideration of years have taught them finally to decide on. The people, notwithstanding all that has been said, have no peculiar obligations to this Parliament for uncommon instances of that propriety of conduct which could warrant so implicit a reliance in it. No very flattering proofs of extraordinary attention to the rights of the people have been given by His Majesty's present Ministers, in their support of that excellent measure, the *Westminster Scrutiny*; and no very splendid testimony of their prudence in financial concerns, could be drawn from the *Commutation Tax*. This is a proceeding, the hardship of which they have already felt; and there are some others now in agitation, which are not likely to turn out much more favourable. These only are the reasons the people can have for a reliance in their present Parliament. I do not, however, mean to say any thing which can be construed into invective against them. I have before been accused of insulting them. I do not know that I did so; but if heat should have led me, at any time, to say any thing which could have that appearance, I am exceedingly sorry for it. There was nothing in any of these circumstances which could impress them on my memory; but I have observed, that nothing I have ever said

in my warmest moments have ever drawn forth so much passion and ill-temper on the other side of the House, as when I have attempted to praise them. The Right Honourable Gentleman has, in this instance, receded from those opinions which, on two former occasions, he seemed to maintain; and the alteration which he has now made, for the purpose of a specific plan, is infinitely for the worse. It is in vain that he endeavours to qualify the objections which the idea of innovation raises in the minds of some, by diminishing the extent and influence of reformation. From the earliest periods of our government, that principle of innovation, but which should more properly be called amendment, is neither more nor less than the practice of the constitution. In every species of government (for I will put absolute monarchy out of the question, as one which ought never to take place in any country) democracy and aristocracy are always in a state of gradual improvement, when experience comes to the aid of theory and speculation.

In all these, the voice of the people, when deliberately and generally collected, is invariably sure to succeed. There are moments of periodical impulse and delusion, in which they should not be gratified; but when the views of a people have been formed and determined on the attainment of any object, they must ultimately succeed.

succeed. On this subject the people of this country have petitioned from time to time, and their applications have been made to their Parliament. For every reason, therefore, they should be gratified, lest they may be inclined to sue for redress in another quarter, where their application will have every probability of success, from the experience of last year. Failing in their representatives, they may have recourse to the prerogative. It has been urged, that now, while this business is in agitation, the people of *Birmingham* and *Manchester* have not petitioned to be represented. This is an argument which at this time, of all others, can have but little weight; for while they are alarmed for their trade and their subsistence, it is no time for them to set about making improvements in that constitution, in which they are not certain how long they may have any share. On the eve of emigration, they are to look for this in another country, to which their property and business are soon to be transferred. The different parts of this plan would certainly, in a Committee, be submitted to modification and amendments; but, as it now stands, admitting only the first principle, every other part, and the means taken to attain the principle, are highly objectionable. I shall not hesitate to declare, that I will never agree to admit the purchasing from a majority of the electors the property of the whole. In this

I see so much injustice, and so much repugnance to the true spirit of our constitution, that I cannot entertain the idea one moment.—On the other hand, when the property of a Borough is in one man, there is no chance of his disposing of it on the terms this day mentioned; for when a particular sum is laid down for a certain purchase, and interest suffered to accumulate on that sum, the man must be a fool who could be in haste to get the possession of it. There is something injurious in holding out pecuniary temptations to an Englishman to relinquish his franchise on the one hand, and a political principle which equally forbids it on another. I am uniformly of an opinion, which, though not a popular one, I am ready to aver, that the right of governing is not a property, but a trust; and that whatever is given for constitutional purposes, should be resumed when those purposes shall no longer be carried into effect. There are instances of gentlemen offering to sacrifice the interest they may have in boroughs, to the public good. It is strange that none of them now come forward, when the occasion has presented itself. I am averse to the idea of confining parliamentary situations to men of large fortunes, or those who have distinguished themselves in public professions. Should this be the case, there is scarcely any man so little acquainted with the history of Parliament, as not to know that the

House

House would lose half its force. It is not from men of large and easy fortunes that attention, vigilance, energy, and enterprize, are to be expected. Human nature is too fond of gratifications not to be somewhat attentive to it, when the means are at hand ; and the best and most meritorious public services have always been performed by persons in circumstances removed from opulence. The Right Honourable Gentleman need not be ashamed to take some of those regulations formed in the time of the Protector *Oliver Cromwell* ; for though a character too odious ever to be the object of praise or imitation, his institutions, confirmed afterwards by his successor Charles II, bear strong marks of genius and ability ; for his political disposition was as good as that of his successor, and his genius infinitely more powerful. I shall conclude with earnestly entreating all sides of the House to concur in the question now before them. I am sorry the Honourable Gentleman who spoke last (Mr. Powys) did not, in all the warmth he professed on the occasion, take the most conciliatory mode of acquiring strength to it. Instead of reproaching the Noble Lord (North) for confining himself to old arguments and observations, he should rather tremble for the success with which these old observations have been applied by his Noble Friend, and the contrary fate which has before attended the novel and more variable stile of the Minister.

N^o XXX. *Mr. LEE, on the Westminster Election.*—1784.

THE urgency of the matter I am going to move, induces me to take this early notice of it, as it is interesting to our constitution, and the rights and liberties of a free people. I need hardly, I presume, mention, that what I allude to is the *Westminster Election*; the result of which is a novelty in the laws of this country, and in the laws of Parliament. I could not imagine that any returning officer would be bold enough to commit an infraction of those laws which have cost our ancestors so much trouble. I was therefore surprised that the High Bailiff of Westminster should, contrary to the common practice at elections, refuse to make a return, notwithstanding a scrutiny had been demanded by the unsuccessful candidate. It was an attempt to alter the established laws of the land, which expressly declared, that the officer should make a return within the time limited by act of parliament, according to the voice or sense of a legal majority of voters. I am sensible of the partiality of some gentlemen of a certain description, and therefore I am not surprised at their exclamations of Hear! Hear! Hear! But I cannot conceive why the phrase *legal majority* should be so particularly noticed by them. I confess I am at a loss to find any case that bears
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the least similarity to the present. Of all the election causes in which I have had the honour to be concerned, and during my practice there have been many, I declare that I cannot say there is a single one which has the least affinity to that alluded to. According to Act of Parliament, the High Bailiff of Westminster should have made his return immediately at the final close of the poll; and should not have given a refusal, because a scrutiny had been demanded by Sir Cecil Wray. This mode of conduct was contrary to the statutes 10th and 11th of King William, chap. 7th, and therefore deserved reprehension. To convince the House of the propriety of this procedure, I beg leave to quote the very words of the Act of Parliament to which I allude. “ For preventing abuses in the returns of writs of summons for the calling and assembling of any Parliament for the future, or writs for the choice of any new members to serve in Parliament; and to the end such writs may, by the proper officer, or his deputy, be duly returned and delivered to the Clerk of the Crown, to be by him filed, according to the ancient and legal course: be it enacted, by the King’s most excellent Majesty, &c. That the Sheriff, or other officer, having the execution or return of any such writ, which shall be issued for the future, shall, on or before the day that any future Parliament shall be called to meet (and with all
convenient

convenient expedition, not exceeding fourteen days after any election made by virtue of any new writ), either in person, or by his deputy, make return of the same to the Clerk of the Crown in the High Court of Chancery, to be by him filed." It was depriving the electors of their representatives, and the nation of the exertions of two men, whose political efforts might be of service at this important crisis. I have not the honour of being intimately connected with Lord Hood, although I can boast of an intimacy with the Right Honourable Gentleman (Mr Fox); but surely the services of both these men should not at this time be lost to their friends of Westminster, who have taken a very active part in their election. I stand up for the privileges of a Member of Parliament; I stand up for the privileges of the People. I profess I know very little about the character or disposition of the Returning Officer for Westminster; but I am fully persuaded that his conduct, in this case, is highly culpable. I do not wish to postpone the consideration of His Majesty's speech; but I feel so seriously for the consequences, if the whim or caprice of a Returning Officer is indulged, that, with submission to the House, I apprehend an investigation into the causes for delaying the return of the Members to serve for Westminster should precede every other business. Sensible of the expediency of bringing a ques-
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tion of such magnitude before the House, I think it a duty incumbent upon me to take the earliest opportunity to discharge the trust reposed in me by the public. Why not decide the contest in the usual manner, by petitioning the House, and appointing a Committee to examine into the merits of the different candidates? This has been the practice of all other Parliaments; and I hope the present will not deviate from the steps of their ancestors, whose maxims of policy have been wise and consistent, and agreeable to the established laws of the land. Considering all these facts, I confess that I do not approve of committing a decision of such importance to the High Bailiff of Westminster; therefore I wish to have the matter brought before the House as early as possible, as it is a constitutional question of that nature, as to demand the most serious attention of every friend to this country.

N^o XXX. SERVIUS TULLUS, *on the Treachery of the Albans.*—(Dionys. Halicar.)

ROMANS, and you my Friends and Confederates,

WE have, with the assistance of the Gods, taken revenge on the *Fidenates*, and their allies, who have dared openly to make war against us; so that they will either cease for the future to disturb us, or they will receive a
severer

severer chastisement than hitherto they have felt. It is now time, since our first enterprise has succeeded to our wish, to punish those enemies also who call themselves our friends, and were taken into this war to assist us in annoying our common enemies, but have broken their faith;—and entering into clandestine treaties with those enemies, have attempted to destroy us all. For these are much more dangerous than open enemies, and deserve a severer punishment; since it is both easy to guard against the stratagems of the latter, and, when they attack as enemies, possible to repulse them. But, when friends act the part of enemies, it is neither easy to guard against them, nor possible for those who are surprised to repulse them. Such are the allies sent by the city of *Alba* to circumvent us, although they have received no injury from us, but many considerable benefits. For, as we are their colony, we have not dismembered any part of their empire, but have raised our own strength and power, out of the acquisitions we have made from our own enemies; and, by making our city a rampart against the most considerable and most warlike nations, we have effectually secured them from a war with the Tyrrhenians and Sabines. In the prosperity therefore of our city they ought, of all others, the most to rejoice, and grieve at our calamities, not less than at their own. However, these people have envied, not
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only us those advantages we enjoy, but also themselves that happiness they enjoyed, through our means; and at last, unable any longer to contain their dissembled hatred, they declared war against us. Finding us well prepared to receive them, and themselves in no condition to annoy us, they invited us to a reconciliation and friendship, and proposed the deciding of our contest for the sovereignty, by three persons from each city: these conditions also we accepted, and, having gained the victory, became masters of their city. After this, in what manner did we behave ourselves towards them?—Why, when we had it in our power to take hostages from them;—to leave a garrison in their city;—to take off some of the principal authors of the war between the two cities, and banish others;—to change the form of their government, according to our own interest;—to punish them with the forfeiture of a part of their lands and effects;—and (which was the easiest thing of all) to disarm them, by which means we should have added strength to our government;—we did not think fit to do any thing of this kind, but,—consulting our piety to our mother city, rather than the security of our power, and preferring the good opinion of all the world to our private advantage,—we allowed them to enjoy every thing they could call their own, and suffered *Metius Fufetius*, whom they themselves had honoured

honoured with the chief magistracy, as the most deserving man, to be sure, of all the *Albans*, to administer the public affairs to this time. For which favours you shall hear what returns they made, at a time when the attachment of our friends and allies was more necessary to us than ever : they entered into a private league with our common enemies, by which they engaged to fall upon us in conjunction with them ; and when the two armies approached each other, they quitted their post, and ran to the next hills, making haste early to possess themselves of a place of strength ; and if their design had succeeded according to their desire, nothing could have prevented us, when surrounded both by our enemies and our friends, from being all destroyed, and the fruit of the many battles we had fought, for the sovereignty of our city, from being, in one day, lost. But since their design has miscarried, in the first place, through the benevolence of the Gods (for I am one of these who ascribe all great and good actions to them), and, next to that, by the stratagem I made use of, which did not a little contribute to inspire both the enemy with fear, and our own army with confidence (for what I said, during the battle, that the *Albans* had possessed themselves of the eminences, by my orders, with a view of surrounding the enemy, was all a fiction, and a stratagem contrived by myself) ; since, I say, our
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affairs have taken a happy turn, we should not behave ourselves with a becoming spirit, if we did not take revenge on these traitors, who, besides their obligation, which from their consanguinity to us they ought to have preserved inviolate, have lately entered into treaties with us, confirmed by mutual oaths: yet, without fearing the Gods, whom they had called upon to bear witness to these treaties, or regarding justice itself, and the indignation of men; without considering the greatness of the danger, if their treachery should not succeed according to their wish, they have, in conjunction with our greatest adversaries, and our greatest enemies, endeavoured to destroy us, who are both their colony and their benefactors, in the most miserable and most flagitious manner.

N° XXXI. *Lord CLIVE, on East India Affairs.—1772.*

INDOSTAN was always an absolute, despotic government. The inhabitants, especially of Bengal, in inferior situations, are servile, mean, submissive, and humble: in superior stations they are luxurious, effeminate, tyrannical, treacherous, venal, cruel. The country of Bengal is called, by way of distinction, the Paradise of the Earth: it not only abounds with the necessities of life to such a degree as to furnish a great
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part of India with its superfluity, but it abounds with very curious and valuable manufactures, sufficient not only for its own use, but for the use of the whole globe. The silver of the West, and the gold of the East, have, for many years, been pouring into that country, and goods only have been sent out in return. This has added to the extravagance and luxury of Bengal. From time immemorial it has been the custom of that country, for an inferior never to come into the presence of a superior without a present. It begins at the Nabob, and ends at the lowest man that has an inferior. The Nabob has told me, that the small presents he received amounted to three hundred thousand pounds a year; and I can believe him, because I know that I might have received as much during my last government. The Company's servants have ever been accustomed to receive presents. Even before we took part in the country troubles, when our possessions were very confined and limited, the Governor and others used to receive presents; and I will take upon me to assert, that there has not been an officer commanding His Majesty's fleet, nor an officer commanding His Majesty's army, nor a Governor, nor a Member of Council, nor any other person, civil or military, in such a station as to have connection with the country government, who has not received presents. With regard to Bengal, there they flow in abundance indeed.

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Let the House figure to itself a country consisting of fifteen millions of inhabitants, a revenue of four millions sterling, and a trade in proportion. By progressive steps the Company have become sovereigns of that empire. Can it be supposed that their servants will refrain from advantages so obviously resulting from their situation? The Company's servants, however, have not been the authors of those acts of violence and oppression, of which it is the fashion to accuse them. Such crimes are committed by the natives of the country, acting as their agents, and for the most part without their knowledge. Those agents, and the Banyans, never desist till, according to the ministerial phrase, they have dragged their masters into the kennel; and then the acts of violence begin.

Let us consider the nature of the education of a young man who goes to India. The advantages arising from the Company's service are now very generally known; and the great object of every man is, to get his son appointed a writer to Bengal, which is usually at the age of sixteen. His parents and relations represent to him how certain he is of making a fortune; that my Lord Such-a-one, and my Lord Such-a-one acquired so much money, in such a time; and Mr. Such-a-one, and Mr. Such-a-one, so much, in such a time: thus are their principles corrupted at their very setting out; and as they generally go a good many together, they inflame one another's expectations

pectations to such a degree, in the course of the voyage, that they fix upon a period for their return before their arrival.

Let us now take a view of one of those writers arrived in Bengal, and not worth a groat. As soon as he lands, a Banyan, worth perhaps one hundred thousand pounds, desires he may have the honour of serving this young gentleman at four shillings and sixpence per month. The Company has provided chambers for him, but they are not good enough; the Banyan finds better. The young man takes a walk about town; he observes that other writers, arrived only a year before him, live in splendid apartments, or have houses of their own, ride upon fine prancing Arabian horses, and in palanquins and chaises: then they keep seraglios, make entertainments, and treat with champagne and claret. When he returns, he tells the Banyan what he has observed. The Banyan assures him, that he may soon arrive at the same good fortune; he furnishes him with money: he is then at his mercy. The advantages of the Banyan advance with the rank of the master, who, in acquiring one fortune, generally spends three. But this is not the worst of it: he is in a state of dependence under the Banyan, who commits such acts of violence and oppression as his interest prompts him to, under the pretended sanction and authority of the Company's servants. Hence,
Sir,

Sir, arises the clamour against the English gentlemen in India. But let us look at them in a retired situation, when returned to England, when they are no longer nabobs and sovereigns of the East: see if there be any thing tyrannical in their disposition towards their inferiors: see if they are not good and humane masters. Are they not charitable? Are they not benevolent? Are they not generous? Are they not hospitable? If they are, thus far, not contemptible members of society, and if in all their dealings between man and man their conduct is strictly honourable; if, in short, there has not been one character found amongst them sufficiently flagitious for Mr. Foote to exhibit on the Theatre in the Haymarket, may we not conclude, that if they have erred, it has been because they were men placed in situations subject to little or no controul?

N^o XXXII. *Lord NUGENT, on the Appellation*
“ Old Rat of the Constitution.”—1780.

PERHAPS I shall be called “ The Old Rat of the Constitution !” The Noble Lord who has been pleased to bestow that title upon me, is always inclined to take the greatest liberties with his best friends, and those who really wished him well. Perhaps the Noble Lord thought they would be the last to be offended with him ; and

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I do assure the Noble Lord (Lord George Gordon) that I am not offended. There is no harm in the appellation—it was a stroke of innocent humour. I have been puzzled, however, to discover through what chink of the Noble Lord's skull the old rat has crept into his head; and I have been puzzled to find out why I was called the Old Rat of the Constitution. I saw in the newspapers, that I have been reading this morning, a paragraph upon it; and the newswriter was also puzzled to account for the title: he had endeavoured to discover what property of a rat belonged to him. Did the Noble Lord think he was one of those who would run away from the constitution, when it was in danger, as a rat would run away from a falling house? I do assure the Noble Lord that I will not. As long as my friendly limbs will enable me, (and friendly I have a right to call them, for they have borne me for nearly seventy-one years) I will stand up and support it; support it to the last hour of my life, let who will endeavour to pull it down and undermine it, under pretext of necessary alteration: better to be buried under the ruins of the constitution, than to survive it. I will go farther: I will support the Minister. The Noble Lord wishes well to his country, and has true love for the constitution; the Noble Lord would sooner die than suffer it to be impaired: I like the Noble Lord for it. I have voted with him

him in the time of his prosperity, and I will vote for him now. Having thus disavowed one of the qualities of rat, I will tell the House which of the qualities of this animal I admire. A rat is sometimes intent on acquiring good things; it thinks it has a right to visit the bread-room, and the cook's cabin. It will go there, but it always cautiously avoids gnawing through the sides of the vessel; it never makes a hole that will endanger the ship. Let the gentlemen in opposition hold this in their minds; let them, if they think they have a right to force their way into the bread-room, go there, and get their share of the good things; but let them take care how they force a plank out of the ship's side; let them take care that, in their zeal for alteration, they do not sink the vessel. The Noble Lord who has called me an old rat, has something of a rat in his own constitution; he likes good things. I remember when the Noble Lord was some years ago on a visit to my house, he was fond of going into the cook's pantry and dairy. Indeed I must tell the House, I had at that time a remarkable pretty dairy-maid.

Nº XXXIII. *Mr. Fox against Lord North.*—
1781.

SUPPOSING any remonstrance with the Noble Lord (Lord North) against the American war, what will the Noble Lord say? “Why,

you know that this war is a matter of necessity, and not of choice; you see the difficulties to which I am driven, and to which I have reduced my country: and you know also, that in my own private character I am a lover of peace. For what reason then do I persist in spite of conviction? For your benefit alone! For you have violated the most sacred engagements! for you neglected the suggestions of conscience and reason! for you forfeited a thousand times my honour and veracity in this business! and for you I must still persist! Without the American war I shall have no places, no emoluments to bestow, not a single loan to negotiate; nor shall I be able to retain the poor situation of mine that I have so long held disinterestedly. You see me now in the most elevated situation, with the disposal of places and pensions, and with the whole power of the nation in my hands; but make peace with America to-day, and to-morrow I shall be reduced to the level of private life, retaining nothing but what is merely personal of all my present advantages."

"If you do not vote with me (says the Noble Lord) against a peace with America, how am I to give you any thing? It is true that my situation, as Minister, is a respectable and elevated situation; but it is the American war that enables me to give douceurs, and to put into your pockets eight or nine hundred thousand pounds

pounds by a loan. Put an end to that, and you undo all. My power will be miserably lessened, and your pay as miserably reduced. As to myself, why, I am perfectly indifferent about that; I get a little, and it is my happiness that a little, thank Heaven, contents me. I cannot therefore be supposed to care if a peace takes place with America to-morrow, as far as I am personally concerned; but for your own sakes do not let such a thing come to pass. Nay, were I to go out of office, a situation I never coveted, always disliked, and heartily wished to be rid of, still I hope the American war will be continued." Such pathetic reasoning cannot fail having its effects; and thus it is the Noble Lord induces the Members of this House to sacrifice the interest of their constituents, by proving that their own interest is essentially connected with the American war. Was it possible, therefore, that a peace could be obtained with America? "O spare my beautiful system! (the Noble Lord would cry). What, shall I part with that! with that which has been the glory of the present reign, which has extended the dominions, raised the reputation, and replenished the finances of my country! No, for God's sake, let this be adhered to; and do with all the rest what you please: deprive me, if you please, of this poor situation; take all my power, all my honour and consequence; but spare my beautiful system, oh! spare my system!!!"

N^o XXXIV. *Mr. SHERIDAN, against Mr.*
M. A. TAYLOR.—1785.

WE have this day been honoured with the counsels of a complete gradation of lawyers. We have received the opinion of a Judge (Kenyon), of an Attorney-General *in petto* (Bearcroft), of an ex-Attorney-General (Lee), and of a practising Barrister (Taylor). I agree with the learned Gentleman (Mr. Bearcroft) in his admiration of the abilities of my honourable Friend (Mr. Fox). What he has said of his quickness and of his profoundness, of his boldness and his candour, is literally just and true, which the mental accomplishment of my honourable Friend is, on every occasion, calculated to extort even from his adversaries. The learned Gentleman has, however, in this insidious eulogium, connected such qualities of mind with those he has praised and venerated, as to convert his encomiums into reproach, and his tributes of praise into censure and invective. The boldness he has described is only craft, and his candour hypocrisy. Upon what grounds does the learned Gentleman connect those assemblages of great qualities and of cardinal defects? Upon what principles either of justice or of equity does he exult with one hand, whilst he insidiously reprobates and destroys with the other? If the wolf is to be feared,

feared, the learned Gentleman may rest assured, it will be the wolf in sheep's cloathing, the masked pretender to patriotism. It is not from the fang of the lion, but from the tooth of the serpent, that reptile that insidiously steals upon the vitals of the constitution, and gnaws it to the heart ere the mischief is suspected, that destruction is to be feared.

With regard to the acquisition of a learned Gentleman (Mr. Taylor) who has declared that he means to vote with us this day, I am sorry to acknowledge, that, from the declaration the learned Gentleman has made at the beginning of his speech, I see no great reason to boast of such an auxiliary. The learned Gentleman, who has with peculiar modesty stiled himself a *chicken lawyer*, has declared, that, thinking us in the right with respect to the subject of this day's discussion, he shall vote with us; but he has at the same time thought it necessary to assert, that he has never before voted differently from the Minister and his friends, and perhaps he never shall again vote with those whom he means to support this day. It is rather singular to vote with us, professedly because he finds us to be in the right, and, in the very moment that he assigns so good a reason for changing his side, to declare, that in all probability he never shall vote with us again. I am sorry to find the chicken is a bird of ill omen, and that its augury is so unpro-

pitious to our future interests. Perhaps it would have been as well, under these circumstances, that the chicken had not left the barn-door of the Treasury, but continued side by side with the old cock (Mr. Kenyon), to pick those crumbs of comfort which would, doubtless, be dealt out in time, with a liberality proportioned to the fidelity of the feathered tribe.

N° XXXV. *TARQUINIUS SUPERBUS, against his Father-in-law SERVIUS TULLUS, before the Senate.*—(Dionys. Halicar.)

MY answer, Tullus, will be short, and founded on justice; and for that reason I chose to lay it before the senate. Tarquinius, my grandfather, obtained the sovereignty of the Romans by fighting many considerable battles in their defence: he being dead, I am his successor, according to the laws received by all the Greeks and Barbarians; and I ought, in justice, to inherit, not only his fortunes, but his kingdoms, in the same manner as all other successors inherit the estates of their grandfathers. You have, indeed, delivered up to me the fortunes he left; but you deprive me of the kingdom, and have kept the possession of it for so long a time, after you have obtained it in an unjustifiable manner: for, neither did the *Interreges* appoint you king, nor the senate pass a vote in
your

your favour ; neither did you obtain this power by a legal election of the people, as my grandfather, and all the kings before him, obtained it ;—but you gained the sovereignty by hiring, and corrupting by every method you could devise, a number of vagabonds and beggars, men rendered infamous by being condemned, or burdened with debts, who had no regard for the public ; and by declaring, even then, that you did not seek the power for yourself ; and pretending that you reserved it for us, who were then orphans, and infants ; and you engaged before all the world that, when we arrived to manhood, you would surrender the power to me, as to the elder brother : you ought, therefore, if you desired to do justice, when you delivered up to me the palace of my grandfather, to have restored his kingdom, together with his fortunes, after the example of those honest and good guardians, who, having taken upon themselves the care of royal orphans, have, truly and justly, restored to them the kingdoms of their fathers and ancestors, when they came to be men. But, if you thought I had not yet attained a proper degree of prudence, and that, by reason of my youth, I was unequal to the government of so considerable a city, yet, when I arrived to the age of thirty years, and my body and mind were in the greatest vigour, you ought to have put the government of the city into my hands, at the

same time you gave me your daughter in marriage: for, at that age, you also first took upon yourself the administration both of our family and of the kingdom.

And if you had done this, you would, in the first place, have gained the character of a pious and just man; and, after that, you would have been my counsellor, and have had a share in all honours; you would have been called my benefactor, my father, and my preserver; and have received every other distinguishing appellation, which mankind give to the authors of worthy actions; instead of depriving me of my right for four and forty years together, without being able to charge me with any defect either in my person or understanding. After this usage, you have the assurance to ask me, what ill treatment provokes me to look upon you as my enemy, and for what reason I accuse you? But answer me, yourself, Tullus, and say for what reason you think me unworthy to inherit the honours of my grandfather, and what specious pretence you have to alledge for depriving me of them. Is it that you look upon me as supposititious, and illegitimate, and not his lawful son? If so, why did you act as guardian to one who was a stranger to his blood, and why did you restore his palace to him, as soon as he came to be a man? Or is it, that you still look upon me as an orphan child, and incapable of administering the affairs of the public,

lic, when I am near fifty years of age? Lay aside, then, the affectation of your shameless questions, and cease, at last, to be an ill man. However, if you have any reasons to alledge against what I have said, I am ready to leave the determination of our contest to these who are present, than whom you can find none in the city better qualified to decide it. But if, from this tribunal, you fly (as it is customary with you) to the rabble you have deluded, I will not suffer it; for I am prepared, not only to defend my cause by my words, but, if these fail to convince you, to support it by my actions.

Nº XXXVI. *The Reply of SERVIVS TULLUS to TARQUINIUS SUPERBUS.*—(Dionys Halicar).

IT seems, Fathers, that, as a man, I ought to expect every thing, however extraordinary; and to look upon nothing as strange, since Tarquinius desires to dethrone even me, who received him when he was an infant; and, when his enemies were forming designs against his life, preserved him, and brought him up; and, when he came to be a man, honoured him so far as to make him my son-in-law; and designed to make him heir to all my fortunes at my death: but, since every thing has happened to me contrary to my expectation, and that I myself am accused of having wronged him, I shall afterwards lament my own misfortune, and at present plead my

cause against him. I took upon myself, Tarquinius, the guardianship of your brother, and of yourself, when you were left infants, not voluntarily, but compelled to it by the situation of affairs; since those who claimed the kingdom, had openly assassinated your grandfather, and were said to form secret designs both against you, and the rest of his relations; and all your friends acknowledged that, if once they got the power into their hands, they would not have left even one branch of the Tarquinian family alive: neither was there any other person to take care of, and guard you against their enterprizes, but a woman, the mother of your father; and she, by reason of her great age, stood herself in need of other guardians: so that I was the only person left to take care of you in your destitute condition, though you now call me a stranger, and in no degree related to your family. However, by taking upon myself the conduct of your affairs, though in this situation, I not only brought the assassins of your grandfather to punishment, and bred you up till you were men; but, as I had no heirs male, designed to leave you all my fortunes. You have now, Tarquinius, the account of my guardianship, and you will not pretend to say that any part of it is misrepresented.

Concerning the royal dignity, since this is the point you accuse me of, learn by what means I obtained

obtained it; and for what reasons I shall resign it neither to you, nor to any other person. When I took upon myself the government of the city, finding there were some designs forming against me, I desired to surrender it to the people; and, having assembled them all together, I offered to resign the government to them; preferring a quiet life, free from danger, to this envied sovereignty, the source of greater pains than pleasures. But the Romans would not suffer me to execute my design; neither did they think fit to place the government in any other hands, but continued it in mine; and, by their votes, conferred the royal dignity on me; a dignity which belonged to them, Tarquinius, not to you; in the same manner as they conferred the same dignity upon your grandfather, who was a foreigner, and in no degree related to the king, his predecessor; though Ancus Marcius, the former king, left sons, then in the vigour of their age; not grandchildren and infants, as you and your brother were left by Tarquinius. But if it were a general law that the heirs to the possessions and fortunes of deceased kings, should also be heirs to their dignities, Tarquinius, your grandfather, would not have succeeded to the sovereignty upon the death of Ancus, but the elder of his sons. However, the people of Rome did not call the heir of the father, but the person who was worthy of the command, to reign over them:

for

for they looked upon the private fortunes to belong to those who had acquired them, but the royal dignity to those who had conferred it; and that the former, upon the death of the persons in possession, ought to descend to such as are intitled to them, either by their relation to, or the will of, the deceased; but that the latter, when the persons who received it die, returns to those who gave it. Unless you have any thing of this kind to alledge, that your grandfather received the sovereignty upon certain conditions; as, that he should not be deprived of the possession of it himself, and have power to leave it to you, who are his grandsons; and that the people should not have the right to take it from you, and confer it upon me: if you have any such thing to alledge, why do you not produce the contract? However, this you cannot say. But, if I did not obtain the power in the most justifiable manner, as you say, having neither been elected by the *Interreges*, nor received the administration from the senate, and that other things required by the law were not observed; if this is so, I wrong these, not you; and deserve to be dethroned by them, not by you: but the truth is, I wrong neither these, nor any one else. The length of my reign, which has now lasted forty-four years, witnesses that the power was both then justly given to me, and is now justly vested in me; during which time none of the

Romans

Romans ever thought I reigned unjustly, neither did the people nor the senate ever endeavour to dethrone me.

But, to omit these things, and give an answer to what you alledge : if I had deprived you of the power that was deposited in my hands by your grandfather, in trust for you, and, contrary to all the established rules of justice, had withheld your kingdom from you, you ought to have applied yourself to those who conferred the power on me, and to have vented your indignation and reproaches both against me, for continuing in the possession of it, when it did not belong to me ; and against them, for having conferred on me, a power that belonged to others : for you would easily have prevailed on them to do you justice, if you could have shewn you had a right. However, if you could not confide in such an allegation, but were of opinion that I governed unjustly, and that you were a fitter person to be intrusted with the care of the common-wealth, you ought to have done this ; to have enquired into the errors of my government, to have displayed the number of your own actions, and to have summoned me to a decision of the contest : none of which you did. But, after so great a length of time, as if recovered from a long fit of drunkenness, you come now to accuse me ; and, even now, you accuse me in an improper place : for here you ought not to alledge

alledge these things—(I desire, Fathers, you will not be offended at what I have said ; for it was only with a view of exposing his calumny, not of infringing your jurisdiction)—but you ought to have desired me to call an assembly of the people, and there to have accused me. However, since you have declined this, I will do it for you; and, having called the people together, I will appoint them judges of the crimes you accuse me of ; and, again, leave it to them to determine which of us two is the fittest person to govern ; and whatever they shall unanimously order me to do, I shall submit to. This is a sufficient answer to his allegations ; since the effect of many, or few reasons, when urged against unreasonable adversaries, is the same : for words cannot persuade them to be just.

But I am surprised, Fathers, to find any of your number desirous to dethrone me, and conspiring with this man against me : I would willingly enquire of them what injury provokes them to attack me, and what actions of mine they are offended at ? Is it because they know that great numbers, during my reign, have been put to death without a trial, banished their country, deprived of their fortunes, or involved in any other undeserved calamity ? Or, having none of these tyrannical crimes to accuse me of, are they acquainted with any abuses I have been guilty of to married women, or insults on their
maiden

maiden daughters, or any other flagitious attempt upon the person of a freeman? If I have been guilty of any of these crimes, I deserve to be deprived, at the same time, both of my dignity, and of my life. But I am proud, above measure; and, by being grievous to my subjects, am become odious to them; so that none of them can bear the arrogance of my administration. Which of my predecessors ever used his power with the same moderation I have used mine, who have treated all my subjects with the same benevolence an indulgent father shews to his own children; who have even lessened the power you gave me, which was the same your ancestors successively conferred on former kings; and have appointed laws, which you all confirmed, relating to matters of the greatest consequence, by which I granted to you the privilege of doing justice to, and of receiving it from one another: and to these rules, which I prescribed to others, you saw me, like a private person, first yield obedience: neither have I made myself the judge of all sorts of crimes; but those of a private nature I submitted to your jurisdiction, which was never done by any of the former kings. By this it appears, that no crime has drawn upon me the ill-will of some people; but that the benefits I have conferred on the plebeians excite your unjust resentment; concerning which I have often given you my reasons, so that there is no necessity

sity for me to repeat them. If you are of opinion that this man, when invested with the power, will administer it better than myself, I shall not envy the commonwealth a better governor : and, after I have surrendered the sovereignty to the people, from whom I received it, and am become a private person, I shall endeavour to make it appear to all the world, that I know both how to command with prudence, and how to obey with modesty.

N^o XXXVII. *Mr. BROMLEY, on a Motion for repealing the Septennial Act.—1734.*

Mr. SPEAKER,

THE call of the House being adjourned to a very remote day, upon a general opinion, which I hope is well founded, that no vote of credit will be proposed, I believe we can scarcely expect a fuller House than this day produces. There cannot, therefore, be a better opportunity for making a motion, which I apprehend to be of such a national concernment, that I have long wished it to be undertaken by some person better able to support it than myself : but I have this satisfaction, that what I am going to offer will so far speak for itself, as may supply any defects in my manner of laying it before you ; and I cannot doubt the concurrence
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of this House, when it comes to be maturely considered.

I believe we are none of us unapprised of the dislike the people in general have always had to long parliaments; a dislike justly founded on reason and experience; long parliaments in former reigns having proved the unhappy cause of great calamities to this nation, and having been, at all times, declared an innovation upon our constitution. I am convinced that there is no one that hears me, who does not believe the people thought themselves highly aggrieved by the *septennial bill*; that they even looked upon it as a dangerous infringement of their liberties, notwithstanding the cause alledged in the preamble to the act, which seemed at that time to carry some weight with it.

That cause being happily removed, they desire to revert, as near as may be, to their ancient constitution; and surely there can never be a more favourable opportunity to effectuate it than at this juncture, when his Majesty, to the great joy of the kingdom, has been graciously pleased to declare his satisfaction, that the people are soon to have an opportunity of choosing a new representation. The present parliament draws near its dissolution. What can it do more for its own honour,—how can it crown its many meritorious acts better, than by redressing a grievance

vance a succeeding parliament may possibly have its reasons for not entering into ?

Frequent parliaments were early declared a fundamental part of our constitution. In the fourth of Edward III. an act passed for holding them once a year, or oftener, if there should be occasion : in the thirty-sixth of the same reign that statute was confirmed. In that parliament *magna charta* and *charta de foresta* were confirmed, and several new privileges granted to the subject. Then comes the clause relating to parliaments, which sufficiently shews the intention and original institution of them was for the redress of grievances :—for the bill enacts, That for the maintenance of the said articles and statutes ; that is, the privileges before mentioned, and for redress of divers grievances and mischiefs which daily happen ; a new parliament shall be held once every year, as at another time was ordained. The sixteenth of Charles II. recites, that, by the ancient laws and statutes, parliaments used to be held very often, and therefore enacts, that the sitting and holding of parliaments shall not be intermitted or discontinued for more than three years.

In the early days, when this prudent care was taken for frequent meetings of parliaments, the crown was possessed of revenues, which made application to the people for money (unless upon very extraordinary emergencies) unnecessary. It
therefore

therefore plainly appears, that redress of grievances, making salutary laws for the good of the community, and preserving the liberties of the people, by supporting a due balance between the power of the crown and the rights of the subjects, were the main ends for calling of parliaments. The power of calling then being the undoubted prerogative of the crown, it became necessary for the safety of the subject, to oblige the crown to call them frequently. I must confess a caution of this kind is no longer necessary, nor can it ever be, so long as we preserve to ourselves the power of granting money: the crown revenues being sunk, or wantonly granted away, the annual call for a supply must necessarily produce an annual meeting of parliament. But give me leave to observe, the grievance now complained of is of a very different nature. It is not founded on discontinuance of parliament, but on a too long and dangerous continuance of one and the same parliament: a practice unheard of in former times, when prorogations were not known; for, when a parliament was annually called together for the redress of grievances, as soon as the business of the session was over, it was dissolved, and a new one called the next year for the same purpose; by which means the country had a proper check upon their representatives; and those who appeared to be too much under the influence of the crown, those
who

who were too much attached to the minister, had less opportunity of injuring their country; the people had it more frequently in their power to shew a proper resentment, and remedy the evil, by sending others in their places, next year.

This matter seems fully explained by 16 Car. II. which does not only prevent discontinuance of parliaments, but wisely provides against the too long continuance of one and the same parliament, by enacting it into a law, that a new parliament shall be called once in three years, or oftener, if there be occasion. The *Bill of Rights*, in the second session of William and Mary, among many other privileges which we possess, enacts, that for redress of grievances, amending, strengthening, and preserving laws, parliaments ought to be frequently held; and the sixth of the same reign explains the true meaning of the clause, when it declares, that frequent and new parliaments tend very much to the happy union and good agreement between the king and the people: it confirms the 16 Car. II. that parliaments shall be held once in three years, at least, and adds that no parliament shall continue more than three years at farthest. Between that and the first of the late King, several parliaments were held, and none continued longer than three years; some held for one session, which seems to be the original constitution, and best calculated for the good of the nation.

That

That year the Septennial Bill passed, the repeal of which I am going to move ; but believe it more agreeable to the rules of the House, that the act itself should be first read. (*Here the Clerk read the act*). The preamble to the bill, which is the foundation of it, will, I think, admit a very easy answer : as to the first point, that triennial parliaments have proved more grievous, burdensome, and expensive, than they were ever known before that law was passed, I readily agree ;—but let us consider the cause : the lengthening the term occasioned the expence. I fear I might add the multiplicity of places enjoyed by the Members of this House may be too justly alledged another cause ; but I would willingly confine myself to the particular point, how far the time or duration of parliaments might increase or lessen the expence, might add to or diminish the grievance complained of ; and will consider it only in this light, by submitting it to every gentleman who hears me, whether he would not give more for an annuity of three years, than for a grant determinable at the end of one ; and, by the same parity of reasoning, whether septennial parliaments must not prove more grievous, burdensome, and expensive, than triennial, at least in such a degree as an annuity for seven years deserves a better consideration than one for three.

But,

But, supposing I should be out in this point, which I can never give up without due conviction, this argument in the preamble is, I hope, intirely at an end. The Act against Bribery and Corruption, which must ever redound to the honour of this Parliament, will necessarily remedy this evil: that glorious Act will prevent corruption in the *electors*. Nothing but frequent new parliaments can remedy it in the *elected*.

The other reason upon which that Act was founded, namely, a suspicion that designs were carrying on to renew the rebellion, and an invasion from abroad, was, in my humble opinion, the only justifiable pretence for enacting it into a law, and might possibly have induced some Gentlemen of very great honour and integrity to give their votes for the bill, at that juncture, whose assistance, I flatter myself, I shall have now in repealing it. For those who voted for it from that view, could never intend it should be made perpetual, or that it should continue longer than that misfortune subsisted.

I must beg pardon of you, Sir, and of the House, for the trouble I have given you. The nature of the motion I am going to make you, has unavoidably drawn me into a length as disagreeable to myself, as it must have been to those that hear me: numberless arguments will occur to every gentleman in favour of it. I will therefore conclude with this motion, *viz.*

“ That

“ That leave be given to bring in a bill for repealing the *Septennial Act*, and for the more frequent meeting and calling of parliaments.”

In this I hope, Sir, I shall be justified, as it cannot proceed from any indirect or private views, but from a real conviction that the happiness and safety of this nation depends upon it; in which I am supported by the common voice of the people, and have it particularly recommended to me, by a great majority of those I have the honour of representing in Parliament, as well as from my neighbours of the city of Coventry, for whose recommendation I shall always have a due regard, though I have not the honour to represent them.

N^o XXXVIII. Sir GEORGE SAVILLE, on the
Liberty of the Subject.—1779.

Mr. SPEAKER,

I AM really astonished that the learned Gentleman (Mr. Wedderburne) is not ashamed to avow the reason he has assigned for the concealment he has used, and reducing the House to act as so many midnight conspirators, who, under the colour of devising measures for public preservation and national safety, has every appearance of plotting, in the dark, at midnight, its destruction, coming like so many hired ruffians, with weapons concealed under

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their cloaks, to bury their poignards in its very bowels.

Such an act as that for impressing men into his Majesty's service might be very necessary, but, I have many reasons to believe, not to the extent moved for;—but why bring it forward at this *dark and silent hour*,—when the clock has struck twelve, and most of the members retired home to their beds? Why, in God's name, not propose it early in the day, in a full House?

The reason assigned for this assassinate mode of conducting public business is, to the last degree, unfounded, and dissatisfactory, “lest the public should be apprised of it.” Has not the learned Gentleman already told us, that the bill is to act retrospectively; that it is to commence on ~~that~~ melancholy, I fear, fatal, day on which the Spanish Minister delivered the manifesto now on your table? Has he not farther informed us, that the Ministry have not been unmindful of their duty; for, that they have exceeded all their former attacks on the constitution of their country? They have trampled on the laws, and have found an advocate to defend their conduct in the person of the learned Gentleman who has moved this extraordinary bill, in this very extraordinary manner. Is then the learned Gentleman's love of his country not satisfied with the injuries inflicted on the most deserving part of the community, by robbing them of that
protection

protection which the laws have given to them, and by breaking the national faith, which is the great pledge and security to every Englishman for their due performance? Would the learned Gentleman not let one father, one husband, one brother, or one child escape, in this general scene of oppression and injustice! Methinks I hear the heart-felt shrieks of the miserable wife, this instant piercing my ears, and entreating, in accents of rage and despair, the midnight ruffian not to drag from her side her tender and affectionate husband, the father of her children, and her only support! I think I hear the aged and helpless parent, in accents of sinking woe, misery, and distress, bewailing the loss of his dutiful and beloved son! I confess I am filled with horror at the various ills and miseries this instant inflicting in every part of these kingdoms, contrary to every principle of law, justice, and humanity: but the learned Gentleman has a stomach for all this, and much more; for he says he has stood up, at this midnight hour, to propose a law, which, if proposed in open day, in a full House, might perhaps have this one consequence, that of procuring, for the persons to be affected by it, that personal security, by flight and concealment, which the laws of their country, and the assurance of public faith always supposed to accompany them, have been inadequate to.

N^o XXXIX. *Major SCOTT, in vindication of
Mr. HASTINGS.—1787.*

Mr. ST. JOHN,

THE Honourable Gentleman who spoke so eloquently yesterday, made use of an expression which I must beg leave to take notice of: he talked of the servile dependents of Mr. Hastings. I hope, Sir, he does not rank me in that number, if such there are; but I believe, and I know, that none of his friends deserve to be so stigmatised.—I left England with English blood in my veins, and I hope I have brought English blood back again to my native country. The Honourable Gentleman has, I trust, a better opinion of me, since, upon a very remarkable occasion, he consented to a conference with me, which, if it had taken place, might have prevented that splendid display of eloquence which we heard yesterday in the Committee.—The fact is, Sir, that I was above twelve years in India, before I had the pleasure to be known to Mr. Hastings, except by dining at his table, in common with other officers of my own standing. To General Clavering, who conferred a military office upon me, at the recommendation of Colonel Upton, I always felt and expressed myself much obliged, though equally unknown to him. I shall now take the liberty
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of offering a few observations upon the question before the Committee. The Honourable Gentleman, in opening it, took a very wide range; nor do I conceive it can be fairly considered, without a review of the state of affairs in India, and in Europe as connected with India, in the year 1781, and for some years preceding that period.—In the year 1775, the debt of Great-Britain was, I believe, about *one hundred and twenty five millions*. It continued rapidly increasing from that unfortunate period; and in the year 1782, it had increased to the alarming amount of *two hundred and thirty millions*.—In the same period, *a hundred thousand lives* were lost, a vast empire in America, Minorca in Europe, several of our West-India Islands, and our most valuable settlements on the coast of Africa. I believe, Mr. St. John, no history, ancient or modern, can afford an instance of so rapid a decline in the prosperity of a great country. The flames of war which raged with so much violence in Europe and America, were extended to Indostan; for I assert it, without a fear of contradiction, that the politics of Great-Britain involved us originally in India: an event which the Right Honourable Gentleman (Mr. Fox) truly foretold very early in the American war, when he said it must, by its continuation, involve this nation in every quarter of the globe.—During the progress of our calamities in Europe and America,

I would desire to ask Gentlemen, what happened in India? We were there, it is true, involved in wars, and surrounded with difficulties; but how different the conclusion! Did we lose a foot of territory in India? So far from it, that we had taken, in the course of the war, every French and Dutch settlement on the continent of Indostan, and were besieging the French garrison of Cuddalore, their only remaining hope, when intelligence of the peace in Europe arrived at Madras. The first account of that important event was conveyed by an express dispatched by me to Mr. Hastings, at his own expence. The Noble Marquis, who deserves the warmest thanks of a grateful country, for ending a calamitous and most expensive war, gave up, and wisely gave up, the conquests of the East India Company in India, in order to save the British possessions in the West Indies. I would ask Gentlemen, in what other quarter of the globe could we make cessions to France? In none;—for, except the Island of St. Lucia, all the conquests we made during the late war were made in India.

I have sat in the gallery, in other days, Mr. St. John, and listened with profound attention to the Right Honourable Gentleman (Mr. Fox), when he has so strongly and so truly described the calamitous and degraded state this country was reduced to; I have heard him attribute those

calamities

calamities and that degradation to the imbecility and the indolence of the Noble Lord who for many years was the Minister of this country. I have been informed, that the Right Honourable Gentleman has sometimes in this House, during the late war, expressed his warmest wishes for America; her cause was the cause of Liberty, the cause of Whiggism, and of the British constitution. A Right Honourable Gentleman, who first moved this prosecution, has been equally violent upon former occasions against the Noble Lord, and equally zealous for America: his zeal once carried him so far as even publicly to avow, in this House, a correspondence with Dr. Franklin, then declared by law a rebel to this country, on the exchange of a British General. The Noble Lord has, upon many occasions, declared in this House, that he imputed our calamities to the intemperate violence of Opposition, and to their encouragement of the rebellion in America. But that in a very few years we experienced a melancholy reverse; that from being the first, as well as the freest nation in the world, we, in less than seven years, saw our empire dismembered, and the people of England so oppressed and borne down by taxes, that the most æconomical Minister will scarcely be able in future to make the income of the State meet its expenditures; that in a very few years these melancholy events did happen, are truths which all parties acknowledge,

though they may differ as to the causes to which these misfortunes are to be attributed : but that there was blame somewhere, either in the Minister, in the officers who executed his plans, or in those who clogged the wheels of government, I have never yet heard one man hardy enough to deny. What, Mr. St. John, was the event which happened a few short months after these melancholy truths were so universally felt and acknowledged? It was of such a nature, that not all the splendid talents, the wit, the ingenuity, or the humour of the Gentlemen opposite to me, will ever be able to efface from the minds of the people of England. The Noble Marquis to whom I alluded before, had the good fortune to save this country from total ruin in the month of January, 1783, by restoring to us the blessings of peace. If the matter were doubtful then, what shall we now pronounce? If, after five years of peace, this nation can hardly pay the interest of its public debts, and provide for its various establishments, how could we have borne an additional load of twenty millions! and such would have been the consequence of another year of war. Of the truth of this, the Right Honourable Gentleman was so sensible, that, not many months previous to the peace, he publicly declared in this House, I mean in the Rockingham administration, that, bad as he had conceived this country to be, before

fore he came into office, he found it, upon examination, infinitely worse; and that no peace could be a bad one for this country. What was the consequence of the restoration of peace? An agreement between long hostile and contending parties, to turn out the Noble Marquis who concluded it, and to seize themselves the government of this country. The Right Honourable Gentleman who had, in an impassioned tone, declared in November 1781, that the Noble Lord who was then the Minister, "must hear of his disgraceful and ruinous measures at the tribunal of justice, and expiate them on the public scaffold!" the same Right Honourable Gentleman who then made this public declaration, was joint Secretary of State with the Noble Lord in March 1783. With equal indignation another Right Honourable Gentleman spoke of the Noble Lord; yet he, too, upon that occasion, echoed the humane sentiment of "*Inimicitiae placabilis, amicitiae sempiternæ.*"

Nº XL. Lord THURLOW, on the *East-India Bill*.—1783.

MY LORDS,

THE noble and learned Lord has not yet given any solution to my difficulties. I ask the noble and learned Lord (Lord Loughborough) if he can reconcile the principle of the

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present bill to the principles of the British constitution, admitting even, what we have not as yet the smallest cause to admit, that the necessity of an immediate interference by Parliament is apparent. The noble and learned Lord fills so high an office in two of His Majesty's Courts, that I should naturally expect to see him the champion of our glorious constitution. It is not fitting that so great a character should muddle in the dirty pool of politics. The present East-India Bill means evidently to create a power which is unknown to the constitution, an *imperium in imperio*;—but, as I abhor tyranny in all its shapes, I shall oppose most strenuously this strange attempt to destroy the true balance of our constitution. The present bill does not tend to increase the influence of the Crown; but it tends to set up a power in the kingdom, which may be used in opposition to the Crown, and to the destruction of the liberties of the people. I wish to see the Crown great and respectable; but, if the present bill should pass, it will be no longer worthy of a man of honour to wear. The King will, in fact, take the diadem from his own head, and place it on the head of Mr. Fox. Your Lordships have heard much of the ninth report of the Select Committee. That extraordinary performance has been in every body's hands. The ingenious author states, that “The East-India Company is in possession of a vast empire, with such a bound-

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less patronage, civil, military, marine, commercial, and financial; in every department of which such fortunes have been made, as could be made no where else."—This, my Lords, is the true description of that vast and boundless patronage, which this bill means to throw into the hands of the Minister of the present day. I speak the language of the late Marquis of Rockingham, for whom I had the highest respect and regard, and to whom I have been much obliged, when I say, that every Minister of this country will naturally strengthen his party, by encreasing his friends, and disposing of every office of honour or of emolument amongst those who will support his measures: with this explanation of the system on which the present Ministers act, and, indeed, on which all Ministers must act, let me conjure your Lordships to weigh well the consequences which will result to the constitution of this country, should the present bill pass into a law. By the fundamental principles of this constitution, the executive power of the State is placed in the hands of the Crown. We have heard much, my Lords, of late years, of the alarming increase of the influence of the Crown: I will candidly confess to your Lordships, that I have never seen the influence of the Crown too great. I wish to see the Crown great and respectable; and, if the boundless patronage of the East must be taken from the Company, if regulations

wisely adopted, and steadily enforced, will not be sufficient to remedy existing evils, let the boundless patronage of the East be placed where only with safety to the constitution of this country it can be placed—in the hand of the executive government. In the last year, we passed an act to prevent contractors from sitting in parliament; but, by the present bill, Mr. Fox's contractors do not even vacate their seats. Such is the distinction between the Crown and a Subject.

In the last year, we passed an act to prevent Custom-house officers from voting for Members of Parliament, so cautious were we to preserve the purity of the House of Commons, and to diminish the influence of the Crown; but, in defiance of every principle which was then professed, no jealousy is expressed of the Man who is to have in his possession the boundless patronage of the East. The doctrine advanced by the noble and learned Lord is indeed extraordinary. He tells you that the act of 1773 was an infringement of the charter of the East-India Company, but that his objection was, that it did not go far enough, and therefore he would totally destroy the charter. The noble and learned Lord will recollect the doctrine of the King's Attorney-General, Sir Robert Sawyer, in the unconstitutional and infamous reign of Charles the Second, as detailed to us in that ministerial gazette, that receptacle of all true intelligence, Mr. Woodfall's

fall's paper ; yet, my Lords, how was the doctrine of Sir Robert Sawyer reprobated by the Chief Justice of that day ! The charter of the city of London was taken away, not because, according to Sir Robert Sawyer's opinion, it was for their good, but because the court was induced to declare it had been forfeited. At the Revolution, however, it was restored, and the strongest marks of abhorrence were expressed at so atrocious a deed, perpetrated under the semblance of justice. But before the House can consider this very important bill on that ground (to which every Englishman must naturally object to it, that it is directly subversive of our venerable constitution, and on that ground I challenge the noble and learned Lord to meet my argument fully and fairly), it will be necessary to consider the real state of the East-India Company. Let us not be misled by reports from committees of another House, to which, I again repeat, I pay as much attention as I would to the History of *Robinson Crusoe*. Let the conduct of the East-India Company be fairly and fully enquired into; let it be acquitted or condemned by evidence brought to the bar of the House. Without entering very deep into the subject, let me reply in a few words, to an observation which fell from a noble and learned Lord, that the Company's finances are distressed, and that they owe, at this moment, a million sterling to the nation. When
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such a charge is brought, will Parliament, in its justice, forget that the Company is restricted from employing that credit which its great and flourishing situation gives to it? Will Parliament, in its justice, forget that all the bill-holders of the Company are willing to extend the period of payment? Will Parliament, in its justice, forget that so high is the credit of this Company, that if the restrictions were taken off to-morrow morning, every demand due to the State would be discharged? Will Parliament, in its justice, forget, that not all the wisdom of His Majesty's Councils, nor the united wisdom of this country, has prevented us from being involved in a long, a dangerous, and an expensive war? Will Parliament, in its justice, forget, that though we have met with loss, misfortune, and disgrace, in every other quarter of the globe, this delinquent East-India Company has surmounted the most astonishing difficulties in India?

Will the justice of Parliament forget, that when peace was at last restored to this unfortunate country, the conquests of this delinquent Company were given up, to prevent farther sacrifices in the West? Will Parliament, in its justice, forget that this delinquent Company, by the additional expence of freight, or captures at sea, has sustained a loss of two millions seven hundred thousand pounds, in consequence of our national war? Will Parliament, in its justice,
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forget, that when this country has increased its debt above one hundred millions sterling, this delinquent Company wants but a little time to pay all it owes to the exchequer, or privilege to use its flowing credit? Will Parliament, in its justice, forget, that at a former period, when its commerce was circumscribed, when it had not an empire to support, this delinquent Company was allowed to issue bonds to the amount of three millions sterling, though now limited, at the close of an expensive and calamitous war, to the sum of fifteen hundred thousand pounds? These are circumstances which must be recollected, when we mean to violate private property—an injury which must cut every Englishman to the bone, and which nothing but the strongest necessity, fully and fairly proved, can ever justify.

The noble and learned Lord has mentioned the depopulation of fertile provinces in India, the expulsion of a king from his palace, and the cruelties exercised upon an old woman. These, my Lords, are sounding words; but I call upon the noble and learned Lord to prove the facts.

It is something singular, that when the character of Mr. Hastings is thus held up to public detestation, his name should be cautiously suppressed. Whence, my Lords, this remarkable degree of delicacy towards Mr. Hastings? If he is a desolator of provinces, if he is a plunderer,
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and an enemy to the human race; let him be punished for his crimes; but let the facts be proved. The little, low, dirty attempts of malice and faction, which have long been employed to destroy the character of that great man (as I think him), can have no weight with your Lordships. How industriously, my Lords, has every transaction of Mr. Hastings's long government, that could tend to criminate him, been circulated! The reports of a committee have been sold as pamphlets. The ingenuity of some men, the industry and warm imagination of others, have been long employed to sully the well-earned reputation of Mr. Hastings. To my mind, my Lords, Mr. Hastings is one of the most extraordinary characters this country has ever produced. He has served the East-India Company thirty-three years in the most important situations, twelve years as Governor or Governor General of Bengal. He is a man, my Lords, whose integrity, whose honour, whose firmness of mind, and whose perseverance, are not only very generally acknowledged in this kingdom and in Asia, but throughout the continent of Europe. He is a man, my Lords, who possesses a most extensive knowledge of the languages, the politics, the customs, and the revenues of Indostan. He is a man, my Lords, who infused the spirit which animated his own mind, and rose superior to the astonishing difficulties he had to encounter, into the
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breasts of our brave and intrepid countrymen who have so nobly distinguished themselves in Asia. Mr. Hastings, my Lords, is a man who has re-established peace in India, who furnished resources for the war, while it lasted, by an increase of revenues in Bengal, and has preserved the provinces under his more immediate controul in peace and tranquillity. Mr. Hastings is a man, my Lords, who has held a bold and consistent language throughout. When the Government of this country sent three men to thwart and to oppose all his measures, he desired either to be recalled or confirmed. Would to God those men had never arrived there ! When I consider the scene of confusion that ensued, the factions, personal and party spirit, by which they were actuated from the very hour of their landing, I am astonished that Mr. Hastings has been able to surmount so arduous a trial. What have been the means, my Lords, to which Mr. Hastings has had recourse to preserve his power ? Has he employed the low and dirty arts of intrigue, which have heretofore been practised ?

No, my Lords, he has been supported by the voice of the public, by great and meritorious actions ! This being my opinion of Mr. Hastings, I shall support him until evidence of his delinquency shall be produced. Whence, my Lords, this extreme desire to avoid a full and pure discussion of this question ? I again repeat
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it; If Mr. Hastings is guilty, recall him, punish him; but do not, my Lords, let us be deluded by tales fabricated for the purpose of the hour, and circulated with a degree of industry which disgraces the honour and dignity of the British Nation. I cannot help adding, my Lords, that, to my mind, the late dispatches from India contain such convincing proofs of the vigour of our government in Bengal, of the regulations formed for the collection of the revenues, and the administration of justice, throughout the provinces, added to the æconomical arrangements formed in the civil and military departments, that I do believe it will not be in the power of any clerk in office, that Mr. Fox's Directors may send out, to throw Bengal into confusion again in less than two or three years.

N^o. XLI. *Lord CHESTERFIELD, on the Freedom of Election.*—1748.

MY LORDS,

IT is well known that, by the constitution of this kingdom, all elections, of whatever nature, ought to be made with the utmost freedom.—We have many laws, both ancient and modern, for establishing the freedom of elections, and for preventing any undue influence that may be made, either by money, by threats, or by promises, upon the electors. The
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very nature of the thing requires it should be so ; for every man who is allowed a vote at any election, is, by law, presumed capable of determining within himself, who is the most proper person for that post, office, or employment, to which he is to elect ; and if he be directed in his voting, either by money, by threats, or by promises, it is he who directs, that is properly the director, and not he who is made the tool upon that occasion ; by which means that election, which by law ought to be made by a great number of persons, may come to be directed, and consequently made, by one single man. Therefore, my Lords, it has always been deemed to be a maxim of the common law of England, that elections shall be freely and regularly made, without any interruption whatever ; and this maxim has been confirmed and enforced by most of the great kings that ever reigned in this kingdom. Under our glorious King Edward the First was that statute made, which is called the First of Westminster ; and by the fifth chapter of that statute, it is expressly ordained, “ That no great man, or any other person, shall, by force, by malice, or by threats, any way dispute the freedom of election, under the pain of grievous forfeiture ;” which is a law still in force, and a law that relates to all elections made, or to be made within this kingdom ; and so careful were our ancestors of preserving this

this freedom of election, that even requests, and earnest solicitations, were in such cases deemed unlawful, as may appear from that statute which was made in the seventh of *Henry the Fourth*, and from the fourteenth chapter of the statute called *Articuli Cleri*, which was made in the reign of Edward the Second; for it was by them most reasonably concluded, that if any great or powerful man was allowed but to request or solicit a man for his vote, at any election, that request or solicitation would have the same effect as if he had actually threatened that man, or made promises to him for giving his vote as directed; because every man would naturally presume, that if he complied with the great man's request, he might expect his favour, and, if he denied his request, he must expect his malice.

From hence it is plain, my Lords, that, by the very nature of the thing, as well as by the statute and common law of the kingdom, it is highly criminal in any great man to request or solicit votes at any election; but it must be still more criminal in any man actually to give, or to promise any money, or other reward, upon such an occasion, especially in any thing that relates to a right of sitting in the House. And what appears to be the undoubted law of this kingdom, is so far from being derogated from, by the union between the two nations, that it is, in the particular case now before us, expressly confirmed

firmed by that act which was made by the Parliament of Scotland, for settling the manner of electing the Sixteen Peers; and which act is, by the Parliament of both nations, declared to be as valid, as if the same had been part of the Articles of Union.

Since then it appears, that the resolution now proposed, namely, “That it is the opinion of this House, that any person or persons, taking upon him or them, to engage any Peers of Scotland, by threats, promise of place or pension, or any reward or gratuity whatsoever, from the Crown, to vote for any Peer, or list of Peers, to represent the Peerage of Scotland in Parliament, is an high insult on the justice of the Crown, an incroachment on the freedom of elections, and highly injurious to the honour of the Peerage,”—is nothing but a declaration of what is now the law of Great-Britain, I can see no reason for our not complying with the motion which the Noble Duke has been pleased to make us; but, on the contrary, I see many and strong reasons for our agreeing to it; for it certainly will enforce the laws now in being; it will put people in mind that there are such laws, and will tend greatly towards terrifying those who may hereafter have evil intentions, from being guilty of those practices which they know to have been so totally condemned by this House; and such a resolution is at present more necessary, because of the great complaints

complaints now so generally made over the whole nation against such practices.

Bribery and corruption, in elections of all kinds, is now so universally complained of, that it is become highly necessary for this House to come to some vigorous resolutions against it, in order to convince the world, that it has not, as yet, got within these walls. It has already, I am afraid, got too firm a footing in some other parts of our constitution. What is now proposed, will not, I am afraid, be a sufficient barrier; but I am very sure, if something is not very speedily done, if some effectual measures are not soon taken against that deadly foe to our constitution; I say, I am very sure, that, in a short time, corruption will become so general, that no man will be afraid to corrupt, no man will be ashamed of being corrupted.

Though it cannot be affirmed, my Lords, that any undue influence has as yet been made use of in the election of the sixteen Peers of Scotland; though it cannot be suspected that any such influence will ever be allowed of, much less approved of by his present Majesty; yet no man can tell, how soon such a thing may be attempted and the circumstances of many of the Peers of that nation give us great reason to be jealous of such attempts. It must be allowed, that there are many of them who have the misfortune of having but small estates; it is well known

known that many of them have commissions in the army, or places in the government, depending upon the pleasure of the Crown ; and it must be granted, that some of them cannot well support the dignity of their titles, and the ancient grandeur of their families, without such commission in the army, or post in the government. If, then, any future ambitious Prince should think of securing, by illegal means, a majority in this House, in order to destroy the liberties of his people ; or if any wicked Minister, who had got the leading of a weak Prince, should think of getting a corrupt majority in this House, in order to secure him against an impeachment from the other, are we not naturally to conclude that the first attempt of such a thing, or such a Minister, would be to secure the Sixteen Peers from Scotland ?

In such a case, a court-list, or rather a ministerial list, would certainly be sent down ; and every Peer of Scotland that did not vote plump for that list, would be, underhand, threatened with being turned out of his commission in the army or navy, or out of his employment under the government ; and others would be induced to vote for it, by secret promises of preferment, or of being provided for. The noble families of Scotland, are, my Lord, as ancient, and have always behaved with as much honour, as the nobility of any nation under the sun ;—but, in
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such cases how hard might be the fate of some of the representatives of the noble families of that kingdom ! They must ungratefully vote against those who perhaps procured them their commissions, or the posts they enjoy ; they must vote for those they know to be men of no worth or honour, men whom they know to be mere tools of power ; or otherwise they must expect to be stripped of all their preferments under the government, and thereby rendered incapable of supporting themselves in their native country, as *Noblemen*, perhaps even as *Gentlemen*. This is a misfortune which certainly may happen : this, my Lord, is a misfortune which, in regard to our country, in regard to the honour and dignity of this House, in regard to our own families, we ought to provide against, and we cannot provide against it too soon.

I say, my Lords, that it is a misfortune which in regard even to our own families we ought to provide against ; for it is well known, that there is but seldom any difference between the royal and the ministerial power. There can never be any difference between the two, but when there is a just, a wise, and an active Prince upon the throne ; for when there is an ambitious and unjust Prince upon the throne, his Ministers will readily submit, he will make every thing submit to his power, if he can : and when a weak or indolent Prince happens to be upon the throne,

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the whole royal power will always be lodged with the Ministers, and generally in one Prime Minister ; and, as such Ministers always endeavour to act in an arbitrary way, they never will employ any but those who will meanly submit to be their tools ; all others they will endeavour to oppose or destroy. It is certain, that men of great families and fortunes, who have any sense or penetration, will never so easily submit to the arbitrary views of an ambitious Prince, nor will they so easily submit to be the tools of an overbearing Minister as fools or mean upstarts ; and, therefore, no such Prince, or Prime Minister, will ever employ any of them, if they can do without. While the ancient dignity and weight of this House is preserved, the ancient and great families of the kingdom will be able to confine the reins of an ambitious Prince, and to force him to delegate a just proportion of his power to them ; and they will always be in a condition to force themselves in upon a Prime Minister, not as his tools, but as his partners in power. But if it should once come to be in the power of a Prince, or Minister, to secure by dishonourable means a majority in this House, the greatest part of our posterity will for ever be excluded from all share in the government of their country ; none but mean tools of power, and knavish upstarts will be employed in the administration ; and perhaps even our next successors may see a

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wicked and overbearing Prime Minister of State at the head of a parcel of fools and knaves, carrying things in the House by a majority, contrary to the opinion of the generality of mankind out of doors, and contrary to the opinion of every honest man of sense within.

To me, my Lords, it is clear as demonstration, that an utter exclusion of all the nobility in Great Britain, who had either honour or good sense, from any share in the administration, will be the certain consequence of the Court's getting it in their power, to secure, by corruption, a majority in this House. But, I am much afraid, the misfortune would not stop here; I am afraid that such a Court would soon begin to think of getting rid of every family in the nation which could be any way troublesome to them; and of such a resolution, my Lords, supported by such a majority, how fatal might be the consequences to every one of your Lordships families, which happened unfortunately, at that time, to have a representative beloved in his country, and esteemed for his great honour and his good sense! Of such consequences I have the most terrible apprehensions: I hope no such case will ever happen; but I must desire your Lordships to consider how great an influence a number of sixteen such votes might have upon all the resolutions of this House. Look into your journals, look into the histories of this nation, and you will see
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how many questions, questions in which the very being of our constitution was deeply concerned, have been carried against the then enemies of our constitution, by a majority of a much smaller number, perhaps by a majority of not above two or three. Can we, then, be too jealous of the method of electing the Sixteen Peers of Scotland? Can we refuse, or neglect to use all those means that lie in our power for preventing their being ever chosen by ministerial influence? Can we suppose that all those who are chosen by such an influence will not vote in this House, under that influence by which they are chosen?

Custom, my Lords, is of a mighty prevalent nature; even virtue itself owes its respect, in a great measure, to custom; and vice, by being avowedly and openly practiced, soon comes to disguise itself, and assumes the habit of virtue. If ministerial influence, if private and selfish views, should once come to be sole directors in voting at the election of the Sixteen Peers of Scotland, the practice would very soon get even into this House itself; and, as inferiors are always apt to imitate their superiors, it would soon from thence descend to every election, and to every assembly in Great-Britain. Corruption would then come to be openly and generally avowed; it would assume the habit of virtue: the sacrificing of our country, the sacrificing of all the ties of honour, friendship, and blood, to any personal advantage

preferment, would be called prudence, and good sense; and every contrary behaviour would be called madness and folly. Then, indeed, if there were a man of virtue left in the nation, he might have reason to cry out, with the celebrated Roman Patriot, "Oh virtue! I have followed thee as a real good, but now I find thou art nothing but an empty name." It was, my Lords, the general corruption he found in his country, that lead that great man into such an expression: he died in the defence of liberty and virtue, and with him expired the last remains of the liberty and virtue of his country; for virtue and liberty always go hand in hand; wherever one is, there likewise is the other; and from every country they take their flight together. I have said; my Lords, that it cannot be affirmed, that any undue influence has yet been made use of in the election of the Peers for Scotland; but yet it must be granted that, towards the latter end of the late Queen's reign, there seems to be a strong suspicion, that some extraordinary influence was then made use of; for the sixteen that were first chosen after the Union, were all such as were known to have a true zeal and affection for the Revolution, and for the present establishment. Soon after there was a change in the Ministry here, and upon that a new Parliament: it cannot be said that there was any change among the electors of the Sixteen Peers of Scotland, they necessarily

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continued to be the same; and yet there was such a thorough change among the Sixteen Representatives then chosen, that hardly one of the former was sent up: the whole Sixteen were such as were agreeable to the new Ministry, and such as went into all the new measures then set on foot. Even some Noble Lords, now in this House, whose consummate prudence and great qualifications were then well known, were left out in that Queen's time, though the Peers of Scotland have been ever since so just to themselves, as always to choose them for their Representatives. How this should happen, without some undue influence being then made use of, I cannot well comprehend. And if what is prophesied should happen; if, upon the next election, it should be found, that some Noble Lords are left out, whose families, as well as themselves, have been eminent and remarkable for their zeal in the present happy Establishment, as well as for the Revolution upon which it is founded; if such, I say such, should be left out, for no other reason, that can possibly be guessed at, but that they happen not to be altogether agreeable to the ministers for the time being; I shall think it still more unaccountable, because that, in the latter end of the late Queen's time, there seemed to be a contest between those that were friends, and those that were enemies, to the Protestant succession: and, in such a contest, there is some good

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ground to presume, that the Peers of Scotland would naturally divide into two parties, and that the most numerous party would choose that sixteen who were supposed to be of the party they espoused. But now, my Lords, where there is no principle, either in religion or politics, to direct them, it is not to be supposed that they will naturally divide into two parties; or, that the majority of them will readily resolve not to vote for any of those who now happen to be disagreeable to the Minister, notwithstanding their having, for a continued course of so many years, thought some of them worthy of the honour of being their representatives in this house.

If this, my Lords, should really happen; if some of those Lords now in this house, whose zeal and affection for his Majesty's person and government are well known, whose qualifications and natural endowments are universally acknowledged, and who have performed many eminent services to their country; if such, I say, should be left out, and others, who may not be known in the world, chosen, or at least pretended to be chosen, in their room, I shall be apt to suspect (I believe the whole nation will conclude), that some of the Scots Peers have not been directed in their choice by that which ought to be their only direction upon such an occasion; and if such a thing should happen, it will be incumbent on this House to inquire how it was brought about;

about ; for we ought not to admit of any unworthy person's being brought among us, nor ought we to allow of any person being brought unworthily or unjustly into this house. This we have a right to inquire into, as may appear by what happened so lately as in the reign of the late Queen ; and our records, our own histories, may shew us that the bringing, or endeavouring to bring unworthy persons into this house, was inquired into, and had like to have proved fatal to King Henry III.

In such cases, my Lords, we are not tied down to the strict rules of law ; we are not to expect every criminal fact to be proved by two or three witnesses ; this is what neither House of Parliament ever thought themselves tied down to : it is from circumstances as well as proofs, that we are to determine ; and if such circumstances should concur, as must convince every man of common sense in this kingdom, I am sure I need not tell your Lordships what you are to do ; but, as the preventing of crimes is much more prudent, and less troublesome, than the punishing of them, let us, therefore, now endeavour to prevent the committing of any such crimes, by agreeing to the resolution proposed.

The other House of Parliament has passed many laws for preventing the influence of bribery and corruption in the election of any of their Members. They have lately got passed a severe

law against that abominable practice; and another bill, for preventing any undue influence upon their Members after they are chosen, has since been several times brought in, and as often passed in that house; but your Lordships have not, it seems, thought fit to give it your concurrence. Whilst there are such complaints against the growth of corruption; whilst the other House are using such precautions against it, shall we sit still and do nothing? There are but a few of the Members of this House, there are none but the Sixteen for Scotland, who owe their seats here to an election. Let us then, my Lords, take all possible care, that they shall always be chosen by an honourable, a fair, and a free election. If they should ever come to depend upon a Minister for their seats in this House, consider, my Lords, what an influence it might have even upon their voting while they are here.

How terrible must it be for any Lord of this House, to be exposed to the danger of being told, by an insolent Minister, "You shall vote so or so, otherwise you shall be no longer a Lord of Parliament!" This is what, I hope, your Lordships will endeavour to prevent, by agreeing to this resolution, or any other more effectual method that may hereafter be found to be necessary.

N^o XLII. *Mr. Fox, (Part I.) in support of his East-India Bill.—1783.*

THE Honourable Gentleman who opened the debate (Mr. Powys), first demands my attention; not indeed for the wisdom of the observations which fell from him this night, (though he is acute and judicious upon most occasions) but from the natural weight of all such characters in this country, the aggregate of whom should, in my opinion, always decide upon public measures: but his ingenuity was never, I think, more effectually exerted, upon more mistaken principles, and more inconsistent with the common tenor of his conduct, than in this debate.

He charges me with abandoning that cause, which, he says, in terms of flattery, I had once so successfully asserted. I tell him, in reply, that if he were to search the history of my life, he would find that the period of it, in which I struggled most for the real, substantial cause of Liberty, is this very moment that I am addressing you. Freedom, according to my conception of it, consists in the safe and sacred possession of a man's property, governed by laws defined and certain; with many personal privileges, natural, civil, and religious, which he cannot surrender without ruin to himself; and of which to be

deprived by any other power, is despotism. This Bill, instead of subverting, is destined to stabilize these principles; instead of narrowing the basis of freedom, it tends to enlarge it;—instead of suppressing, its object is to infuse and circulate the spirit of liberty.

What is the most odious species of tyranny? Precisely that which this Bill is meant to annihilate. That a handful of men, free themselves, should execute the most base and abominable despotism over millions of their fellow-creatures; that innocence should be the victim of oppression; that industry should toil for rapine; that the harmless labourer should sweat, not for his own benefit, but for the luxury and rapacity of tyrannic depredation; in a word, that thirty millions of men, gifted by Providence with the ordinary endowments of humanity, should groan under a system of despotism, unmatched in all the histories of the world.

What is the end of all government? Certainly the happiness of the governed.—Others may hold other opinions; but this is mine, and I proclaim it.—What are we to think of a government, whose good fortune is supposed to spring from the calamities of its subjects, whose aggrandizement grows out of the miseries of mankind! This is the kind of government exercised under the East-India Company upon the natives of Indostan; and the subversion of that infamous

mous government, is the main object of the Bill in question. But in the progress of accomplishing this end, it is objected that the Charter of the Company should not be violated; and upon this point, Sir, I shall deliver my opinion without disguise. A charter is a trust to one or more persons, for some given benefit. If this trust be abused; if the benefit be not obtained, and that its failure arises from palpable guilt, or (what, in this case, is full as bad) from palpable ignorance or mismanagement; will any man gravely say, that trust should not be resumed; and delivered to other hands; more especially in the case of the East-India Company, whose manner of executing this trust, whose laxity and languor produced, and tend to produce, consequences diametrically opposite to the ends of confiding that trust, and of the institution for which it was granted!—I beg of Gentlemen to be aware of the lengths to which their arguments upon the intangibility of this charter may be carried. Every syllable virtually impeaches the establishment by which we sit in this house, in the enjoyment of this freedom, and of every other blessing of our government. These kind of arguments are batteries against the main pillar of the British Constitution. Some men are consistent with their own private opinions, and discover the inheritance of family maxims, when they question the principles of the Revolution;

but I have no scruple in subscribing to the articles of that creed which produced it. Sovereigns are sacred, and reverence is due to every King: yet, with all my attachments to the person of a first magistrate, had I lived in the reign of James the Second, I should most certainly have contributed my efforts, and borne part in those illustrious struggles which vindicated an empire from hereditary servitude, and recorded this valuable doctrine, that "*trust abused was revocable.*"

No man will tell me, that a trust to a company of merchants, stands upon the solemn and sanctified ground by which a trust is committed to a Monarch; and I am at a loss to reconcile the conduct of men who approve that resumption of violated trust, which rescued and re-established our unparalleled and admirable Constitution, with a thousand valuable improvements and advantages, at the Revolution; and who, at this moment, rise up the champions of the East-India Company's charter, although the incapacity and incompetence of that Company to a due and adequate discharge of the trust deposited in them by that charter, are themes of ridicule and contempt to all the world; and although, in consequence of their mismanagement, connivance, and imbecillity, combined with the wickedness of their servants, the very name of an Englishman is detested, even to a proverb, through all Asia, and the national character is
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become degraded and dishonoured. To rescue that name from odium, and redeem this character from disgrace, are some of the objects of the present Bill; and Gentlemen should indeed gravely weigh their opposition to a measure which, with a thousand other points, not less valuable, aims at the attainment of these objects.

Those who condemn the present Bill, as a violation of the chartered rights of the East-India Company, condemn, on the same ground, I say again, the Revolution, as a violation of the chartered rights of King James II. He, with as much reason, might have claimed the property of dominion. But what was the language of the people? No, you have no property in dominion; dominion was vested in you, as it is in every chief magistrate, for the benefit of the community to be governed: it was a sacred trust delegated by compact; you have abused the trust; you have exercised dominion for the purposes of vexation and tyranny—not of comfort, protection and good order; and we therefore resume the power which was originally ours: we recur to the first principles of all government, the will of the many; and it is our will that you shall no longer abuse your dominion. The case is the same with the East-India Company's government over a territory, as it has been said by Mr. Burke, of 280,000 square miles in extent,

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nearly equal to all Christian Europe, and containing 30,000,000 of the human race. It matters not whether dominion arises from conquest, or from compact. Conquest gives no right to the conqueror to be a tyrant; and it is no violation of right, to abolish the authority which is misused.

Nº XLIII. *Mr. BEAUFOY, (Part I.) for the Repeal of the Test and Corporation Acts.—1787.*

Mr. SPEAKER,

I AM happy, in the outset of our deliberations, to declare, that the grievances of which the Dissenters complain, are of a *civil*, and not of an *ecclesiastical* nature.—They humbly solicit a restoration of their *civil rights*, not an enlargement of their *ecclesiastical privileges*. It is of consequence that this fact should be distinctly stated, and clearly understood;—for the very word *Dissenter* leads so naturally to the supposition that their complaints are of an *ecclesiastical* kind, and their acknowledged merit as citizens, so naturally excludes the idea of its being possible that the law should have deprived them of any of their civil rights, that I feel myself under a necessity of stating, at the very threshold of the business, that their prayer has *nothing ecclesiastical* for its object. They wish not to diminish the provision which the Legislature has made for the Established Church; nor do they

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envy her the revenue she enjoys, or the ecclesiastical privileges of dignity and honour with which she is invested. If their aim had been to attack the rights of others, and not merely to recover their own, they would not have chosen a Member of the Church of England for their advocate, nor could I have accepted such a trust. So far are they, indeed, from trespassing on the rights of *others*, that even the restitution of their *own* they did not solicit till the public tranquillity was completely restored, and till a season of leisure from other avocations had afforded the legislature a convenient opportunity of considering the hardships by which they are aggrieved. That men of acknowledged merit, as citizens, of known attachment to the constitution, and of zealous loyalty to the Sovereign, should at no time solicit relief from unmerited disabilities, and undeserved reproach, is not to be expected from the Dissenters, for it is not to be expected from human nature;—but, in praying for that relief, they have chosen the time which they thought the most convenient to Parliament, and the mode which they deemed the most respectful to the House. United in sentiment, on this occasion, to a degree which I believe unexampled in any other body of men, and hitherto unknown among themselves, and forming in most of the towns of England a large proportion of the inhabitants, they did not choose to crowd your
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table with petitions ; they wished to owe their success, not to the number of the claimants, but to the equity of the claim ;—and, they have observed, that Justice never pleads more powerfully with the House, than when she approaches them accompanied only by her own complete perfections.

In most of the enlightened nations of *Europe*, the principles for which I contend are no longer a subject of dispute. In Scotland, and in Holland, no religious test, as a qualification for a civil office, has at any time existed. In the Prussian dominions, and in those of the Empress of Russia, no traces of such a test are to be found. In Ireland, and in the dominions of the Emperor, all civil disqualifications, on account of religious opinions, are completely done away. In France, a similar relief was extended by the Edict of Nantes, which, if public report may be credited, is likely to become, in the present reign, a permanent part of the policy of that kingdom ; for an opinion prevails there, of its not being necessary that a Frenchman should be a Catholic, in order to have the privilege of shedding his blood in the service of his country.—Shall then England alone adhere to an exploded system, which all the other enlightened nations of Europe, upon a full conviction of its weakness, have already abandoned, or are now preparing to abandon ? Shall foreigners still be employed to fight
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her battles? Shall the Hessian sword again be called upon to protect her from invasions, while so many thousands of her own people, willing to bleed in her cause, and impatient to hazard their lives in her defence, are excluded from her service?

One proof of the absurdity, of the incredible folly of these inhuman statutes, presses so strongly on my thoughts, that I cannot refrain from submitting it to the consideration of the House. The benevolent Mr. Howard; he upon whom every kingdom in Europe, England excepted, would gladly confer, at least, the common privileges of a citizen, and whom the proudest nation might be happy to call her own; he of whom a Right Honourable Member of this House has said, "He has visited all Europe,—not to survey the sumptuousness of palaces, or the stateliness of temples; not to make accurate measurements of the remains of ancient grandeur; not to form a scale of the curiosity of modern art; not to collect medals, or to collate manuscripts;—but to dive into the depths of dungeons; to plunge into the infection of hospitals; to survey the mansions of sorrow and pain; to take the gauge and dimensions of misery, depression, and contempt; to remember the forgotten, to attend to the neglected, to visit the forsaken, and to compare and collate the distresses of all men in all countries:" He, even he, is denied in England

land the common rights of a subject; he is incapable of legal admission into any office: and the consequence is, that his zeal for his country having led him, a few years since, to brave the penalties of the law, and to serve her in a troublesome and expensive civil employment, without the sacramental qualification, which his religious persuasions would not permit him to take, the penalties of the *Test Act* are still hanging over him: and I fear that, even now, on his return to his native country, amidst the plaudits of an admiring world, it is in the power of any desperate informer, who is willing to take that road to wealth and damnation which the Legislature has pointed out, and recommended to his choice,—I fear it is in the power of every such informer, to prosecute him to conviction, and to bring upon him those dreadful penalties which constitute the punishment of an *out-law*. God forbid, that in the view of all Europe, such indelible dishonour should be brought upon the British name!

Thus I have stated (too much at large, perhaps, but the importance of the subject will plead my excuse) the merits of the Dissenters' case. I have shewn the nature of those provisions, in the Test and Corporation Acts, from which they supplicate relief; and have described the dreadful penalties which these acts impose. I have shewn at what periods, and under what circumstances,

circumstances, these afflictive laws were passed : I have proved, that of the Test Act the Dissenters were not the objects ; and that of the Corporation Act, which, for the space of three years, established despotism by law, the alledged necessity has no longer the pretence of truth. I have also proved, that, after the proposed repeal, all those who cannot take the abjuration oath, which operates as a bar to all but Christians, and make the declarations, which excludes the Catholics, will continue as completely rejected as before ; and that even their willingness to give these pledges of attachment to the laws will avail them nothing, unless in the estimation of their Sovereign their merit shall be such as to render them worthy of an employment in his service. I have likewise shewn, that the repeal will increase the strength of the kingdom, by enabling His Majesty to bring into action the talents and affections of all his Protestant subjects ; and that it will also give additional security to the Church. Whoever, then, shall be of opinion, that the general voice of all the enlightened nations of Europe is deserving of regard—whoever shall admit, that the exertions of the whole kingdom will have greater avail than its mutilated strength,—whoever is convinced, that union is better than separation, that power is preferable to weakness, and that national justice is the surest ground of national prosperity—will agree with me in thinking

ing, that the law which excludes the Dissenters from civil and military employments, ought to be repealed. The grievances of two other descriptions of persons, whose importance in the community cannot be disputed, and the reasonableness of whose plea is too obvious to require any length of discussion, still remain to be mentioned.

By the Test and Corporation Acts, no native of Scotland, who is of the established Church of that country, can be admitted to any office in England, or to the army or navy, in any part of Great-Britain, unless he will publicly profess a different religion from his own. Yet the offices of the State are the offices of Great-Britain; for the salaries of the persons who fill them are paid by taxes levied on Great-Britain. The army, too, and the navy, are the army and navy of Great-Britain; for in the burden of their payment, Scotland undoubtedly bears her part. Hence it is evident, that, by the Test Act, an English restriction is imposed on a British office; an English restriction is imposed on the British navy; an English restriction is imposed on the army of Great-Britain. Englishmen, residing in Scotland, are entitled to all the privileges of Scotchmen; for neither the late Chief Baron Ord, who presided in the Court of Exchequer there, nor Mr. Wharton, who is one of the present Commissioners of Excise in North-Britain,

tain, nor any other Englishman who fills a public office in that country, was obliged to renounce the Church of England, in order to qualify himself for the trust: it is justly considered as a British trust, and upon it therefore no Scotch restriction is imposed. Why then should the naval or the military service of the united kingdoms be fettered with English restraints? or, why should English conditions be annexed to the possession of a British office? There is neither common justice, nor common sense, in the measure.

Nº XLIV. *Mr. Fox (Part II.) in support of his East-India Bill.—1783.*

HAVING said so much upon the general matter of the Bill, I must beg leave to make a few observations upon the remarks of particular Gentlemen; and first of the learned Gentleman over-against me (Mr. Dundas). The learned Gentleman has made a long, and, as he always does, an able speech; yet, translated into plain English, and disrobed of the dexterous ambiguity in which it has been enveloped, what does it amount to? To an establishment of the principles upon which this Bill is founded, and indirect confession of its necessity. He allows the frangibility of charters, when absolute occasion requires it; and admits that the charter of the
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Company should not prevent the adoption of a proper plan for the future government of India, if a proper plan can be atchieved upon no other terms. The first of these admissions seems agreeable to the civil maxims of the learned Gentleman's life, so far as a maxim can be traced in a political character so various and flexible : and to deny the second of these concessions was impossible, even for the learned Gentleman, with a staring reason upon your table to confront him, if he attempted it. The learned Gentleman's Bill, and the Bill before you, are grounded upon the same bottom, of abuse of trust, mal-administration, debility, and incapacity in the Company and their servants ; but the difference in the remedy is this : the learned Gentleman's Bill opens a door to an influence an hundred times more dangerous than any that can be imputed to this Bill, and deposits in one man an arbitrary power over millions ; not in England, where the evil of this corrupt ministry could not be felt ; but in the East-Indies, the scene of every mischief, fraud, and violence. The learned Gentleman's Bill afforded the most extensive latitude for malversation ; the Bill before you guards against it with all imaginable precaution. Every line in both the Bills, which I have had the honour to introduce, presumes the possibility of bad administration, for every word breathes suspicion. This Bill supposes that men are but
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men; it confides in no integrity, it trusts no character; it inculcates the wisdom of a jealousy of power, and annexes responsibility, not only to every *action*, but even to the *inaction* of those who are to dispense it. The necessity of these provisions must be evident, when it is known that the different misfortunes of the Company resulted not more from what the *servants did*, than from what the *masters did not*.

To the probable effects of the learned Gentleman's Bill, and this, I beg to call the attention of the House. Allowing, for argument sake, to the Governor General of India, under the first named Bill, the most unlimited and superior abilities, with soundness of heart, and integrity the most unquestionable; what good consequences could be reasonably expected from his extraordinary, extravagant, and unconstitutional power, under the tenure by which he held it? Were his projects the most enlarged, his systems the most wise and excellent which human skill could advise; what fair hope could be entertained of their eventual success, when, perhaps, before he could enter upon the execution of any measure, he may be recalled in consequence of one of those changes in the Administrations of this country, which have been so frequent for a few years, and which some good men wish to see every year. Exactly the same reasons which banish all rational hope of benefit from an Indian administration,

administration, under the Bill of the learned Gentleman, justify the duration of the proposed commission. If the dispensers of the plan of governing India, (a place from which the answer of a letter cannot be expected in less than twelve months) have no greater stability in their situations than a British Ministry—Adieu to all hopes of rendering our Eastern territories of any real advantage to this country ;—adieu to every expectation of purging or purifying the Indian system,—of reform,—of improvement,—of reviving confidence,—of regulating the trade upon its proper principles,—of restoring tranquillity,—of re-establishing the natives in comfort, and of securing the perpetuity of these blessings, by the cordial reconciliation of the Indians with their former tyrants, upon fixed terms of amity, friendship, and fellowship. I will leave the House and the Kingdom to judge which is best calculated to accomplish those salutary ends ; the Bill of the learned Gentleman, which leaves all to the discretion of one man ; or the Bill before you, which depends upon the duty of several men, who are in a state of daily account to this House, of hourly account to the Ministers of the Crown, of occasional account to the Proprietors of East-India Stock, and who are allowed sufficient time to practise their plans, unaffected by every political fluctuation.

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But the learned Gentleman wishes the appointment of an Indian Secretary of State, in preference to these Commissioners: in all the learned Gentleman's ideas on the government of India, the notion of a new Secretary of State for the Indian department springs up, and seems to be cherished with the fondness of consanguinity; but that scheme strikes me as liable to a thousand times more objections than the plan in agitation. Nay, the learned Gentleman had rather, it seems, the affairs of India were blended with the business of the office which I have the honour to hold. His good disposition towards me, upon all occasions, cannot be doubted; and his sincerity in this opinion is unquestionable. I beg the House to attend to the reason which the learned Gentleman gives for this preference; and to see the plights to which men, even of his understanding, are reduced, who must oppose. He laughs at the responsibility of the Commissioners to this House, who, in his judgment, will find means of soothing, and softening, and meliorating the Members into an oblivion of their mal-administration. What opinion has the learned Gentleman of a Secretary of State! Does he think *him* so inert, so inactive, so incapable a creature, that, with all this vaunted patronage of the Seven in his own hands, the same means of soothing, and softening, and meliorating, are thrown away upon him? The learned

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Gentleman has been, for some years, conversant with Ministers; but his experience has taught him, it seems, to consider Secretaries, not only untainted and immaculate, but innocent, harmless, and incapable. In his time Secretaries were all purity—with every power of corruption in their hands; but so inflexibly attached to rigid rectitude, that no temptation could seduce them to use that power for the purpose of corrupting, or, to use his own words, for soothing, or softening, or meliorating. The learned Gentleman has founded his opinion of the simplicity and inaction of Secretaries, from that golden age of political probity, when his own friends were in power, and when he himself was every thing but a Minister. This erroneous humanity of opinion arises in the learned Gentleman's unsuspecting, unsullied nature, as well as in a commerce with only the best and purest Ministers of this country; which has given him so favourable an impression of a Secretary of State, that he thinks this patronage, so dangerous in the hands of seven Commissioners, perfectly safe in *his* hands. I leave to the learned Gentleman that pleasure which his mind must feel under the conviction with which he certainly gives this opinion; but I submit to every man who hears me, what would be the probable comments of the other side of the House, had I proposed either the erection of an Indian Secretary, or the annexation

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nexation of the Indian business to the office which I hold.

In the assemblage of the learned Gentleman's objections, there is one still more curious than those I have mentioned. He dislikes this Bill, because it establishes an *imperium in imperio*. In the course of opposition to this measure, we have been familiarised to hear certain sentiments, and particular words, in this House—but directed, in reality, to *other* places. Taking it, therefore, for granted, that the learned Gentleman has not so despicable an idea of the good sense of the Members, as to expect any more attention, within these walls, to such a *dogma*, than has been shewn to the favourite phrase of his Honourable Friend near him (Mr. William Pitt), who calls a Bill, which backs this sinking Company with the credit of the State, a *confiscation* of their *property*, I would wish to ask the learned Gentleman, if he really holds the understanding, even of the multitude, in such contempt, as to imagine this species of argument can have the very slightest effect! The multitude know the fallacy of it, as well as the learned Gentleman himself: they know that a dissolution of the East-India Company has been wished for, scores of years, by many good people in this country, for the *very reason* that it was an *imperium in imperio*. Yet the learned Gentleman, with infinite gravity of face, tells you he dislikes this Bill, because it

establishes this novel and odious principle. Even a glance of this Bill, compared with the present constitution of the Company, manifests the futility of this objection, and proves that the Company is, in its present form, a thousand times more an *imperium in imperio* than the proposed Commissioners. The worst species of government is that which can run counter to all the ends of its institution, with impunity. Such exactly was the East-India Company. No man can say, that the Directors and Proprietors have not, in a thousand instances, merited severe infliction; yet who did ever think of a legal punishment for either body? Now the great feature of this Bill is to render the Commissioners amenable, and to punish them upon delinquency.

The learned Gentleman prides himself that his Bill did not meddle with the commerce of the Company; and another Gentleman, after acknowledging the folly of leaving the government in the hands of the Company, proposes to separate the commerce entirely from the dominion, and leave the former safe and untouched to the Company itself. I beg leave to appeal to every Gentleman conversant in the Company's affairs, whether this measure is, in the nature of things, practicable at this moment. That the separation of the commerce from the government of the East, may be ultimately brought about, I doubt not; but when Gentlemen reflect

fect upon the immediate state of the Company's affairs; when they reflect that their government was carried on for the sake of their commerce, that both have been blended together for such a series of years; when they review the peculiar, perplexed, and involved state of the eastern territories, their dissimilitude to every system in this part of the globe, and consider the deep and laborious deliberation with which every step for the establishment of a salutary plan of government, in the room of the present odious one, must be taken—the utter impossibility of instantly detaching the governing power from interference with the commercial body, will be clear and indubitable.

A Gentleman has asked, Why not choose the Commissioners out of the body of Directors; and why not leave the choice of the Assistant Directors in the Court of Proprietors? That is to say, why not do that which would infallibly undo all you are aiming at? I mean no general disparagement when I say, that the body of the Directors have given memorable proofs, that they are not the sort of people to whom any man can look for the success or salvation of India. Amongst them there are, without doubt, some individuals, respectable both for their knowledge and integrity; but I put it to the candour of Gentlemen, whether they are the species of men whose wisdom, energy, and diligence, would

give any promise of emancipating the East-India concerns from their present disasters and disgraces. Indeed, both the questions may be answered in two words. Why not choose the Directors, *who have ruined the Company?* Why not leave the power of election in the Proprietors, *who have thwarted every good attempted by the Directors?*

The last point adverted to by the learned Gentleman relates to *influence*; and upon his remarks, combined with what fell from some others, upon the same subject, I beg leave to make a few observations. Much of my life has been employed to diminish the inordinate influence of the Crown. In common with others, I succeeded; and I glory in it. To support that kind of influence which I formerly subverted, is a deed of which I shall never deserve to be accused. The affirmation with which I first introduced this plan, I now repeat; I re-assert that this Bill as little augments the influence of the Crown, as any measure which can be devised for the government of India, that presents the slightest promise of solid success; and that it tends to increase it in a far less degree than the Bill proposed by the learned Gentleman. The very genius of influence consists in hope or fear; fear of losing what we have, or hope of gaining more. Make these Commissioners removeable at will, and you set all the little passions of human nature afloat. If benefit
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can be derived from the Bill, you had better burn it than make the duration short of the time necessary to accomplish the plans it is destined for. *That* consideration pointed out the expediency of a fixed period; and, in that respect, it accords with the principle of the learned Gentleman's Bill; with this superior advantage, that, instead of leaving the Commissioners liable to all the influence which springs from the appointment of a Governor-General, removeable at *pleasure*, this Bill invests them with the power for *the time specified*, upon the same tenure that British Judges hold their station, removeable upon delinquency, punishable upon guilt, but fearless of power, if they discharge their trust; liable to no seducement, and with full time and authority to execute their functions for the common good of the country, and for their own glory. I beg of the House to attend to this difference, and then judge upon the point of increasing the influence of the Crown, contrasted with the learned Gentleman's Bill.

The state of accusations against me upon this subject of *influence*, is truly curious. The learned Gentleman (Mr. Dundas), in strains of emphasis, declares, that this Bill diminishes the influence of the Crown beyond all former attempts; and calls upon those who formerly voted with him in support of that influence, against our efforts to reduce it, and who now sit near

me, to join him now in opposing my attempts to diminish that darling influence. He tells them, that *I out-herod Herod*; that I am *out-doing* all my former *out-doings*; and proclaims me, as the merciless and insatiate enemy of the influence of the Crown.

Nº XLV. *Mr. BEAUFOY (Part II.) for the Repeal of the Test and Corporation Acts.—1787.*

I HAVE heard it said, from a confusion of ideas which is scarcely credible, that to grant a remission, in favour of Scotland, of the Test and Corporation Acts, would be a breach of the Union; an opinion which supposes, that because, by the articles of the Union, nothing can be taken from Scotland but what was then stipulated, therefore nothing can be given. It supposes, that if, in a private bargain, I have engaged to concede certain points to my neighbour, I am therefore bound, by that bargain, to concede to him nothing more: it supposes, that if my agreement with him gives me a right of common on his manor, that I violate my compact, if I afterwards voluntarily offer him a right of common upon mine.

Are we told, that the Test and Corporation Acts are among the statutes which secure the doctrines, discipline, worship, and government of the established Church of England, and are therefore,

therefore, by the Act of Union, declared to be unalterable? Sir, the government and discipline, the doctrines and the worship of the English Church, were the same before the statutes were enacted, and would continue the same if those statutes were repealed; and consequently do not derive their security from them: whereas the Act which relates to the patronage of the Church of Scotland, and which did seem to affect its discipline, was held to be no breach of the articles of Union; neither was that Union understood to be weakened by the subsequent Act, which gave a complete toleration in Scotland to Episcopal Dissenters.

When the articles of Union were under the consideration of Parliament, a proposal was made in the House of Lords, that the perpetual continuance of the Test Act, and in the House of Commons, that the perpetual continuance of the Act of Corporation, should be declared a fundamental condition of the intended Union; but the motions were both rejected: a proof that the Legislature did not mean to give to them the same perpetual existence as to the Act of Uniformity, and to the statute that was passed in the 13th of Elizabeth; both of which were specifically named as conditions of the compact, and expressly declared irrevocable.

If the Test and Corporation Laws are deemed unalterable parts of the articles of Union, it follows, of course, that every alteration in those

laws must be deemed a breach of the Union, and that every suspension of those laws must be considered as a suspension of the Union. Now both these Acts are altered, and in part repealed, by subsequent statutes, and, for six months in almost every year, are wholly suspended: but who will assert that the articles of Union are dissolved, or that their obligation on the two countries is suspended for six months in every year? or, who will deny that the same power which alters a part, may alter the whole of these laws? Who will deny, that the same authority which suspends a law for six months, may abolish it for ever?

That many of the natives of *North-Britain*, who are Members of its established Church, have taken the sacrament, as a qualification for naval or military employments, I readily admit; for those men who consider the service of their country as the first of all duties, and their obligation to their Sovereign as the first of all bonds, will make great sacrifices indeed, rather than forego the right of bearing their part in the general defence of the kingdom. But does it therefore follow, that the necessity of making these sacrifices is no hardship? Does it therefore follow, that he who renounces the religion rather than renounce the service of his country, has no reason to complain of the alternative? Others of the natives of that kingdom, too much attached to their religious profession to abandon it

it on any consideration, yet much too ardent for their country to relinquish the satisfaction of engaging in her service, are, at this very hour, exposed to the penalties of the law; exclusion from the right of receiving a legacy; exclusion from the right of acting as the guardian of a child; exclusion from the right of suing in any court, or on any occasion, for justice.

Am I asked, How often, of late years, has the law been enforced? My answer is, the lethargy of the law gives no security to the subject; for an hungry informer may, at any time, rouse it to exertion, and direct it to its prey. But though the fierceness of the statute should not be called into action, yet, in the insult which is offered to the Scots, in the dishonour of being placed on the same level with men whose claim to confidence is blasted by the crime of perjury, established in proof against them—in that dishonour, in that insult, there is no intermission, there is no pause. It is time that these odious distinctions—these hateful signs of difference between the two countries which compose Great-Britain, should entirely be done away; that every scar and seam which marks the lip of her ancient wound, should disappear for ever; and that her offspring should have leave to consider themselves as one nation, and one people.

Nothing now remains, but that I should briefly mention the hardships imposed by the Test Act on the Ministers of the established Church; a

class of our fellow-subjects, to whose concerns the Members of this House cannot be indifferent. The law which declares that every man who accepts a commission in the army, or is appointed to a civil office, shall take the sacrament of the Lord's Supper, compels the Clergyman to administer this sacrament to every person who shall demand it upon that ground ; for, if he refuses, a ruinous prosecution for damages is the obvious and inevitable consequence. The very expence of the trial would, probably, exhaust his scanty means, and leave him nothing but his body, to answer by imprisonment the adverse judgement of the court. Since, then, the law, by menaces too terrible to be resisted, compels him to administer the holy Sacrament to every man who shall demand it, as a qualification for an office ; in what manner must he proceed ? Shall he give the invitation in the usual words of the service : “ All you that do truly and earnestly repent of your sins, and are in love and charity with your neighbours, and intend to lead a new life, following the commandments of God, and walking from henceforth in his holy ways, draw near, with faith, and take his holy Sacrament to your comfort.”—Considering the motives which bring them to the holy table, such an address might be deemed an insult to their feelings.—Or shall he tell them, with a better chance of speaking in unison with their thoughts, “ All you that
are

are lately appointed to offices under His Majesty, that do truly and earnestly desire your continuance therein, and are in love with the profits thereof; you that are lately become Excise-officers, or Custom-house-officers, or Salt-officers, or Officers of the Stamps, and have a charitable hope of enriching yourselves with the spoils of the illicit trader, draw near, in faith, and take this holy Sacrament to your comfort, that you may have a legal title to your places."

N^o XLVI. *Lord NORTH, in reply to Mr. BEAUFOY, against repealing the Corporation and Test Acts.—1787.*

IF the present motion went no farther than for the fair and free exercise of the rights of conscience, I should be the last man upon earth to deliver an opinion against it; but my motive for rising, is to act the part of a good citizen, and not to lay an heavy burthen upon the conscience of any individual whatsoever. I have heard reports, that the Dissenters wish to gain *more* than civil privileges; but, as this suggestion has been contradicted by the two Honourable Members who have spoke upon the subject, my doubts on that point are done away, and I can give every belief to the assertions of these Honourable Gentlemen.—I should have been glad if the Dissenters had proceeded in a more regular manner,
and

and stated the grievances under which they labour, by petition to the House.—Yet I am not insensible that great and liberal minds should shew a virtuous eagerness to relieve unasked,—to anticipate the wishes of fellow-subjects, and,—that when a natural way to act thus laudably is known, it ought undoubtedly to be always adopted.—The doors of this House stand open to all petitioners; and, if a petition had been delivered, stating their grievances, I doubt not but the justice of the House would have redressed them, if they really proved so troublesome in their nature.—They have, however, chosen to adopt another mode of bringing their case before the House;—and they seem rather to depend upon the weight and abilities of the Honourable Mover and Seconder of the motion, than on the justice of their cause.—But I wish, before the House resolve on a vote, to see on what grounds the motion stands. It prays for the repeal of an Act which is the great bulwark of the Constitution, and to which we owe those inestimable blessings of freedom which we now so happily enjoy. It recommends procedures contrary to the happy experience of a century.—The Dissenters appear desirous of having such and such privileges granted to them, and a line drawn which they are not to exceed: that line (I am glad to say) is already drawn;—and, concerning what relates to the worship of God, in
their

their own way, they have no grievance to state ; but their intreaty is, to have the restriction from being able to fill offices taken off.—In the year 1778, a finishing stroke was put to restriction ; a general toleration was then granted. If there remains any thing which can operate as a burden on any man's conscience, in the name of Heaven let it be done away ;—but let not the admitting of persons of particular persuasions into the offices of the State be confounded with the restriction of conscience. If this government finds it prudent and necessary to confine the admission to public offices to men of particular principles, it has a right to adhere to such restriction ; it is a privilege belonging to all States ; and all have exercised it—all do exercise it—and all will continue to exercise it. If Dissenters claim it as their undoubted, their natural right, to be rendered capable of enjoying offices, and that plea be admitted, the argument may be admitted to all men. The vote of a freeholder for a representative to Parliament is confined to those who possess a freehold of 40s. or upwards ; and those not possessing that qualification, may call it an usurpation of their natural right, by preventing them from voting also.

We are told that other countries have no Test Acts, and that their established churches are not endangered for the want thereof.—*France* has *Protestants* at the head of her army and her finances ;
and

and *Prussia* employs *Catholics* in her service: but it must be considered, that those are arbitrary governments; that the King alone in those countries is to be served, and can, at pleasure, remove or advance whom he pleases. The King of *England*, being a limited Monarch, can do no such thing; he is bound by those restrictive laws, as much as his subject. *Holland* admits men of all religions into her army, because, not having subjects enough of her own, she is obliged to have recourse to foreign troops;—but there is no place where they restrain their civil offices more to the established principles of the country. The same may be said of *Sweden*. It has been urged, that by the Corporation and Test Acts, any man who refuses to submit thereto, is subject to the same punishment with those who may be convicted of great and heinous crimes:—but that is not the fact;—no man, because he does not choose to receive the Sacrament of the *Lord's Supper*, is subjected to any punishment whatever. The Act holds out punishment to those who fill offices;—and they are punished for wilfully flying in the face of an Act of the Legislature. If the Act went to force every other man to take the Sacrament, or inflict a penalty upon him, it would indeed be a grievance; and I would most readily concur in having it repealed.

Have not the Country resolved that no King or Queen should sit on the throne of the British Empire

Empire, who refuses to comply with the Test Act? If the throne was offered to any Prince who would not comply, from motives of conscience, the refusal of the throne to him would be offering him no indignity,—no insult. Gentlemen should not, then, lightly talk of insults and stigmas thrown on any set of men who do not choose to comply with any particular forms.—If all were to be admitted, on the principles of national right, there would be an end to all rules and orders;—for no rules could be drawn by the Legislature, but what would be broken through.—The Corporation Act was made at a time when many disturbances were occasioned by the Dissenters, who were principally instrumental in all the consequences that followed. All who then wished for peace, and for the preservation of the constitution, in church and state, called for the measure which was then taken, and which I now consider, as a wise and political measure; it was and is necessary to confine offices in Corporations to those who are well-wishers to the established Church. We are called upon, by an Honourable Gentleman, to proceed as France has done;—but I would rather proceed according to the experience of England, which has enjoyed peace and harmony in the Church by those acts.—It has been said, that when the Test Act was made, the King himself was suspected of being a Catholic;—and the Presumptive Heir had openly avowed

avowed himself a Catholic ;—that it was not meant to act against the Dissenters, but against the Papists : but I will venture to say, that the Parliament who passed it, knew how far it extended,—they knew that it included both.

The Corporation Act clearly meant to exclude the Sectaries, and was not meant to extend to the Papists : but it did not exclude both ;—and when the Parliament passed both those Acts, they knew both Papists and Dissenters were included. Charles the Second, we are told, prevented, by dishonourable means, the repeal of those Acts ; he thought that the repeal was wisely and patriotically refused. It has been the general means of Princes, who had particular objects to attain, which they could not do while every sect remained as it was, to endeavour to confound all sects, that when the door of innovation was once opened, they might pass on till their object was gained.—What was the opinion of Parliament at the Revolution ? That Parliament was sharpened by the miseries they had experienced, and by the horror of danger ; they deliberately went through all the acts, and repealed every one except the Test Act, which they considered as a mere civil and political regulation ; they preserved it, and they thought it necessary for the safety of the Church, and for the preservation of the Constitution. By that Parliament a just line was drawn, to the relief of conscience, on the
one

one hand, and for the safety of the Church, on the other. The Test Act was the corner-stone of the Constitution, which should have every preservation. King James, when he wished to gain the Prince and Princess of Orange to his views, desired to have their opinion on the propriety of repealing the Test and Corporation Acts. The answer of the Prince of Orange was, that he agreed to the removal of the Corporation Act, but not to the Test Act; and he declared it to be the practice of Holland to confine all civil employments to those who professed the principles of the State; but that the army could not be so restrained, on account of the want of troops. Nothing brought James so speedily to the crisis of his fate as the Test Act, which restrained him, and rendered it impossible for him to fill all offices, civil and military, with those of his own sect; which he hoped to be enabled to do, by gaining the repeal of the Test Act, and then there would have been an end to all liberty. Tyranny would have stolen silently on, until it had been so deeply rooted, as to render all endeavours against it vain.

I conceive it to be the duty of every Member of this House, to prevent that which may, in a future period, subject the nation to the same dangers which it has before experienced. If the Scots had any hardships, if they had any grievances, they would have been ready enough to have

have laid complaints before the House; and there are many Gentlemen of that country, in the House, who would be ready enough to state those complaints to the House, if any existed. The Union with Scotland I look upon as a most sacred compact, and which ought not to be touched with a rash hand. The Church is established on a sacred basis, and those who wish for no innovation on the Union, should guard against any attacks on the Church. With respect to the Clergy of the church being *forced* to give the sacrament to all who desire it; that so far from its being the wish of the Clergy of England to gain a repeal of the Test Act, they are all alarmed at the intention of proposing the repeal, and are determined to resist it with their greatest strength. Every Minister is bound, by his holy office, to refuse the communion to any unworthy person. If he refuses according to law, by law he will be justified: the fear of an action should not prevent a man from doing his duty: if he is right, where can be the fear of an action? He will gain honour, and the person bringing the action will have a considerable expence and dishonour. The Clergy are situated now in the same manner that they were before the Test Act; they could then, and they may now, upon proof, refuse the administering the holy Sacrament of the *Lord's Supper* to an unworthy or bad character. The Sacrament is administered, as a test of being well affected

fected to the Church. Some test is necessary, and must be taken. If the Sacrament, in many instances, is taken unworthily, I fear that many false oaths are taken; and can that operate as a reason for the abolition of oaths, which, in many cases, are absolutely necessary? The Legislature is not to be answerable for the consequences of the Sacrament being taken unworthily, or for false oaths; and, if any other test could be devised, to answer the same purposes, I would willingly adopt it. If the plea of birth-right is argued, on that ground may Catholics also claim admission. It hath been contended, that times have changed; that then a Papist was on the throne. Yes, thanks to Heaven! they are changed: but may not they be changed again? It may be said, that there is now no danger of *Jacobitism*:—the family is reduced to two Brothers, one of whom, being in priest's orders, can have no legitimate offspring, and the other is very old. But there may be danger in breaking down the barrier which has hitherto guarded the Constitution. We all know the perilous nature of a cry, "The Church is in danger!" and, an incendiary watching his opportunity, may cause as great a tumult, and as much mischief by that cry, as by the cry of "No Popery!" Though we owe much to the *Brunswick line*, for the blessings of that liberty which we enjoy, much is also owing to the Church for its promotion of harmony, by its submission

submission to the Government, and its liberal principles,—principles which have encouraged bringing forward the present motion. We find no complaint of ecclesiastical tyranny, no Church persecution; let us not then confound toleration of religious principles, with civil and military appointments.—Universal toleration is already established:—let us be upon our guard against any innovation in the Church:—the Constitution is always in danger, when the Church is deprived of its rights.

Nº XLVII. L. JUNIUS BRUTUS, *to the Senate, on the Roman Government.* (Dionys. Halicar.)

I AM of opinion, Lucretius, Collatinus, and all of you here present, who are not only good men yourselves, but descended from good men, that we ought not, at present, to constitute any new form of government: for the time to which we are reduced by the present situation of affairs, is short; in which it is not easy to change the form of our constitution; and the very attempt to change it, though we should proceed in it upon the wisest motives, is doubtful, and not without danger. Afterwards, when you are delivered from the tyranny, you may, with greater freedom, and at leisure, if you think fit, choose that form of government which shall appear to you more preferable than any other,

other, if indeed any is preferable to that which Romulus, Pompilius, and all the succeeding Kings, instituted, and delivered down to us; by the means of which we have to this time continued to be a great and flourishing people, obeyed by many subjects. But I advise you to lay hold on this opportunity to correct the evils with which monarchies are generally attended, and by which they degenerate into a tyrannical cruelty, and are abhorred by all mankind; and at the same time to take effectual care, that they may never return upon you.—What are these evils?—In the first place, since the people in general consider the names of things; and, influenced by them, either admit some that are hurtful, or reject others that are useful; of which monarchy happens to be one; I advise you to change the name of the government, and not to call those who shall for the future be invested with the power over all the citizens, either Kings or Monarchs; but to give them a more modest and human appellation: in the next place, not to submit every thing to the determination of a single person; but to commit the power enjoyed by the Kings to two Magistrates; which, I am informed, has been practised by the Lacedæmonians for many generations, who, by this constitution, are the best governed, and the most flourishing people among the Greeks: for they will be less arrogant and vexatious, when the power

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is divided between two, and each of them has an equal share of it ; and this equality of power and honour will be the most effectual means to create in both a respect for one another, to hinder them from leading a life of pleasure, and inspire each of them with an emulation of a virtuous character.

I am also of opinion, that if the sight of any ensigns of royalty, which are numerous, is uneasy to the people, and invidious, they ought to be retrenched, and others to be taken away ; I mean, those sceptres and golden crowns, the purple and embroidered robes ; unless, upon festivals, and in triumphs, when they will wear them in honour of the Gods : for, if they are seldom used, they will give no uneasiness. But I think you ought to retain the ivory chair, in which the Magistrates will sit in judgement ; and also the white robes surrounded with a border of purple, together with the twelve axes to be carried before them, when they appear in public. There is one thing more I shall recommend to you, which, in my opinion will be of greater advantage than all I have mentioned, and the most effectual means to prevent those who shall be invested with this power, from committing great excesses ; which is, that the same persons be not Magistrates during life (for a magistracy, unlimited in time, and not obliged to give an account of its actions, is a public grievance, and

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productive of tyranny). I propose, therefore, that, after the example of the Athenians, the exercise of this magistracy be reduced to the compass of a year: for this institution, by obliging the same person both to command and to obey alternately, and by removing him from the magistracy before his mind is corrupted, restrains men of haughty tempers, and does not suffer their minds to grow intoxicated with power. If we establish these things, we shall enjoy all the benefits that flow from monarchy, and be free from the evils that attend it. And to the end that the name of kingly power, to which this nation has been always accustomed, and which was introduced among us with favourable auguries, and the approbation of the Gods, may be preserved for the sake of religious worship, let there be always a kind of King, who shall enjoy this honour during life, and, free from all military avocations, have the superintendence of the sacrifices, like the King, and no other employment.

Now hear from me the manner in which every one of these things shall be effected. I will call the people together, as I said, since I have that power, by law; and will propose a vote to banish Tarquinius, with his wife and children; and that both they and their posterity be for ever debarred from entering either into the city of Rome, or the territories thereunto belonging.

and, after the citizens have passed this vote, I will explain to them the form of government we propose to establish; and, having created an *Interrex* for the designation of the magistrates who are to enter upon the administration of the public affairs, I myself will resign the command of the *Celeres*: the *Interrex*, appointed by me, shall assemble the people in the *Centuries*; and, having nominated the persons to be invested with the annual magistracy, let him take the votes of the citizens concerning them: and, if the major part of the *Centuries* are of opinion that the nomination of the persons, made by the *Interrex*, be confirmed, and the auguries are favourable, let these assume the axes, and the other ensigns of royalty, and take care that our country may enjoy its liberty, and the *Tarquinius*, from thenceforth, never return: for you are sensible they will employ persuasion, violence, and fraud, and every other means to recover their power, unless we are upon our guard. These are the things of the greatest moment, that I have to propose to you, at present, and to advise you to pursue. As for particular emergencies, which are many, and not easy to be now discussed with accuracy (for we are reduced to a point of time), I think we ought to leave them to the magistrates themselves, who are to govern; but I am clearly of opinion that these magistrates ought to consult the Senate in every thing, as the Kings formerly did,

did, and do nothing without your advice; and that they ought to lay before the people the decrees of the Senate, according to the practice of your ancestors, without derogating, in the least, from that authority the former were before possessed of:—for this will give the greatest security, and reputation to the magistracy.

N^o XLVIII. *Part 4th of CICERO's Oration for MILO.*

WHAT, now, of this kind can be laid to Milo's charge, whose force has only been employed to save the State from the violence of Clodius, when he could not be brought to a trial? Had he been inclined to kill him, how often had he the fairest opportunities of doing it! Might he not legally have revenged himself upon him, when he was defending his house and household gods against his assault? Might he not, when that excellent citizen and brave man, P. Sextus, his colleague, was wounded? Might he not, when Q. Fabricius, that worthy man, was abused, and a most barbarous slaughter made in the Forum, upon his proposing the law for my restoration? Might he not, when the house of L. Cæcilius, that upright and brave Prætor, was attacked? Might he not, on that day when the law passed in relation to me? when a vast concourse of people, from all parts of Italy, animated

mated with a concern for my safety, would, with joyful voice, have celebrated the glory of the action, and the whole city have claimed the honour of what was performed by Milo alone?— At that time P. Lentulus, a man of distinguished worth and bravery, was Consul; the professed enemy of Clodius, the avenger of his crimes, the guardian of the Senate, the defender of your decrees, the supporter of that public union, and the restorer of my safety: there were seven Prætors, and eight Tribunes of the People, in my interest, in opposition to him. Pompey, the first mover and pattern of my return, was his enemy; whose important and illustrious decree for my restoration, was seconded by the whole Senate; who encouraged the Roman people, and when he passed a decree in my favour at Capua, gave the signal to all Italy, solicitous for my safety, and imploring his assistance in my behalf, to repair in a body to Rome, to have my sentence reversed. In a word, the citizens were then so inflamed with rage against him, from their affection to me, that had he been killed at that juncture, they would not have thought so much of acquitting as of rewarding the person by whose hand he fell. And yet Milo so far governed his temper, that though he prosecuted him twice in a court of judicature, he never had recourse to violent measures against him. But what do I say? While Milo was a private person, and

and stood accused by Clodius before the people, when Pompey was assaulted in the midst of a speech he was making in Milo's favour, what a fair opportunity, and I will even add, sufficient reason was there for dispatching him ! Again, when Mark Antony had, on a late occasion, raised in the minds of all good men the most lively hopes of seeing the State in a happier condition ; when that noble youth had bravely undertaken the defence of his country, in a most dangerous quarter, and had actually secured that wild beast in the toils of justice, which he endeavoured to avoid ; immortal Gods ! how favourable was the time and place for destroying him ! When Clodius concealed himself beneath a dark stair-case, how easily could Milo have destroyed that plague of his country, and thus have heightened the glory of Antony, without incurring the hatred of any ! How often was it in his power, while the *Comitia* were held in the Field of Mars ! When Clodius had forced his way within the inclosure, and his party began, by his direction, to draw their swords, and throw stones ; and then, on a sudden, being struck with terror at the sight of Milo, fled to the Tiber ; how earnestly did you, and every good man, wish that Milo had then displayed his valour !

Can you imagine, then, that Milo would choose to incur the ill-will of any by an action which he forebore when it would have gained him the applause of all ? Would he make no

scruple of killing him at the hazard of his own life, without any provocation, at the most improper time and place, whom he did not venture to attack when he had justice on his side, had so convenient an opportunity, and would have run no risque?—especially, my Lords, when his struggle for the supreme office in the State, and the day of his election was at hand; at which critical season (for I know by experience how timorous ambition is, and what a solicitous concern there is about the Consulate) we dread not only the charges that may openly be brought against us, but even the most secret whispers, and hidden surmises; when we tremble at every rumour, every false, forged, and frivolous story; when we explore the features, and watch the looks, of every one we meet. For nothing is so changeable, so ticklish, so frail, and so flexible, as the inclinations and sentiments of our fellow-citizens, upon such occasions; they are not only displeased with the dishonourable conduct of a candidate, but are often disgusted with his most worthy actions. Shall Milo then be supposed, on the very day of election, a day which he had long wished for, and impatiently expected, to present himself before that august assembly of the *Centuries*, having his hands stained with blood, publicly acknowledging and proclaiming his guilt? Who can believe this of the man? Yet who can doubt, but that Clodius imagined he should reign with-

out controul, were Milo murdered? What shall we say, my Lords, to that which is the source of all audaciousness? Does not every one know, that the hope of impunity is the grand temptation to the commission of crimes? Now which of these two was the most exposed to this? Milo, who is now upon his trial for an action which must be deemed at least necessary, if not glorious; or Clodius, who had so thorough a contempt for the authority of the magistrate, and for penalties, that he took delight in nothing that was either agreeable to nature, or consistent with law? But why should I labour this point so much, why dispute any longer? I appeal to you, Q. Petilius, who are a most worthy and excellent citizen; I call you, Marcus Cato, to witness; both of you placed on that tribunal by a kind of supernatural direction. You were told by M. Favonius, that Clodius declared to him, and you were told it in Clodius's life-time, that Milo should not live three days longer. In three days time he attempted what he had threatened. If he then made no scruple of publishing his design, can you entertain any doubt of it when it was actually carried into execution?—

But how could Clodius be certain as to the day? This I have already accounted for. There was no difficulty in knowing when the Dictator of Lanuvium was to perform his stated sacrifices. He saw that Milo was obliged to set out for La-

nuvium on that very day : accordingly, he was beforehand with him. But on what day ?—that day on which, as I mentioned before, a mad assembly was held by his mercenary tribune : which day, which assembly, which tumult he would never have left, if he had not been eager to execute his meditated villany. So that he had not the least pretence for undertaking the journey, but a strong reason for staying at home ; while Milo, on the contrary, could not possibly stay, and had not only a sufficient reason for leaving the city, but was under an absolute necessity of doing it. Now, what if it appear that, as Clodius certainly knew Milo would be on the road that day, Milo could not so much as suspect the same of Clodius ? First, then, I ask which way he could come at the knowledge of it ? A question which you cannot put, with respect to Clodius : for had he applied to nobody else, T. Patinas, his intimate friend, could have informed him that Milo, as being Dictator of Lanuvium, was obliged to create a priest there, on that very day. Besides, there were many other persons, all the inhabitants of Lanuvium indeed, from whom he might have very easily had this piece of intelligence. But of whom did Milo inquire of Clodius's return ? I shall allow, however, that he did inquire ; nay, I shall grant farther, with my friend Arrius, so liberal am I in my concessions, that he corrupted a slave.

Read

Read the evidence that is before you : C. Cassinius of Interamna, surnamed Scola, an intimate friend and companion of P. Clodius, who swore, on a former occasion, that Clodius was at Interamna and at Rome at the same hour, tells you that P. Clodius intended to have spent that day at his seat near Alba ; but that, hearing very unexpectedly of the death of Cyrus the architect, he determined immediately to return to Rome. The same evidence is given in by C. Clodius, another companion of P. Clodius.

Observe, my Lords, how much this evidence makes for us. In the first place, it plainly appears, that Milo did not undertake his journey with a design to way-lay Clodius, as he could not have the least prospect of meeting him.

In the next place (for I see no reason why I should not likewise speak for myself), you know, my Lords, there were persons who, in their zeal for carrying on this prosecution, did not scruple to say, that though the murder was committed by the hand of Milo, the plot was laid by a more eminent person. In a word, those worthless and abandoned wretches represented me as a robber and an assassin. But this calumny is confuted by their own witnesses, who deny that Clodius would have returned to Rome that day, if he had not heard of the death of Cyrus. Thus I recover my spirits, I am acquitted, and am under no apprehensions, lest I should seem to have con-

trived what I could not so much as have suspected. Proceed I now to their other objections:—Clodius, say they, had not the least thought of way-laying Milo, because he was to have remained at Albanum, and would never have gone from his country-seat to commit a murder. But I plainly perceive that the person who is pretended to have informed him of Cyrus's death, only informed him of Milo's approach. For why inform him of the death of Cyrus, whom Clodius, when he went from Rome, left expiring? I was with him, and sealed up his will, along with Clodius; for he had publicly made his will, and appointed Clodius and me his heirs. Was a messenger sent him then by four o'clock the next day, to acquaint him with the death of a person, whom, but the day before, about nine in the morning he had left breathing his last?

N^o XLIX. *Mr. BURKE (Part I.), on India Affairs.—1783.*

THE rights of *men*, that is to say the natural rights of mankind, are indeed sacred things; and if any public measure is proved mischievously to effect them, the objection ought to be fatal to that measure, even if no charter at all could be set up against it. If these natural rights are farther affirmed and declared, by express covenants; if they are clearly defined, and secured against
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chicane, against power, and authority, by written instruments, and positive engagements, they are in a still better condition : they partake, not only of the sanctity of the object so secured, but of that solemn public faith itself, which secures an object of such importance. Indeed this formal recognition, by the sovereign power, of an original right in the subject, can never be subverted, but by rooting up the holding, radical principles of government, and even of society itself. The charters which we call, by distinction, *great*, are public instruments of this nature ; I mean the charters of King John and King Henry the Third. The things secured by these instruments may, without any deceitful ambiguity, be very fitly called the *chartered rights of men*.

These charters have made the very name of a charter dear to the heart of every Englishman. But, Sir, there may be, and there are, charters, not only different in nature, but formed on principles the *very reverse* of those of the Great Charter. Of this kind is the Charter of the East-India Company. *Magna Charta* is a charter to restrain power, and to destroy monopoly : the East-India Charter is a charter to establish monopoly, and to create power. Political power and commercial monopoly are *not* the rights of men : and the rights to them derived from charters, it is fallacious and sophistical to call “ the
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chartered rights of men." These chartered rights (to speak of such charters, and of their effects, in terms of the greatest possible moderation) do at least suspend the natural rights of mankind at large, and, in their very frame and constitution, are liable to fall into a direct violation of them.

It is a charter of this latter description (that is to say, a charter of power and monopoly) which is affected by the Bill before you. This Bill, Sir, without question, does affect it; it does affect it essentially and substantially. But, having stated to you, of what description the chartered rights are which this Bill touches, I feel no difficulty at all in acknowledging those chartered rights in their fullest extent. They belong to the Company in the surest manner; and they are secured to that body, by every sort of public sanction. They are stamped by the faith of the King; they are stamped by the faith of Parliament: they have been bought for money—for money honestly and fairly paid: they have been bought, for a valuable consideration, over and over again.

I therefore freely admit to the East-India Company, their claim to exclude their fellow-subjects from the commerce of half the globe. I admit their claim to administer an annual territorial revenue of seven millions sterling, to command an army of sixty thousand men, and
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to dispose (under the controul of a sovereign, imperial discretion, and with the due observance of the natural and local law) of the lives and fortunes of thirty millions of their fellow-creatures. All this they possess by charter, and by acts of parliament, in my opinion, without a shadow of controversy.

Those who carry the rights and claims of the Company the farthest, do not contend for more than this; and all this I freely grant. But, granting all this, they must grant to me, in my turn, that all political power which is set over men, and that all privileges, claimed or exercised in exclusion of them, being wholly artificial, and for so much a derogation from the natural equality of mankind at large, ought to be, some way or other, exercised ultimately for their benefit.

If this is true with regard to every species of political dominion, and every description of commercial privilege, none of which could be original, self-derived rights, or grants for the mere privilege or benefit of the holders, then such rights or privileges, or what else you choose to call them, are all, in the strictest sense, a *trust*; and it is the nature and essence of every trust, to be rendered *accountable*, and even totally to *cease*, when it substantially varies from the purposes for which alone it could have a lawful existence.

This, I conceive, Sir, to be true of trusts of power invested in the highest hands, and of such

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as seem to hold of no human creature. But about the application of this principle to subordinate, *derivative* trusts, I do not see how a controversy can be mentioned. To whom, then, would I make the East-India Company accountable? Why, to Parliament, to be sure: to Parliament, from whom their trust was derived; to Parliament, which alone is capable of comprehending the magnitude of its object, and its abuse; and alone capable of an effectual legislative remedy. The very charter which it held out to exclude Parliament from correcting malversation with regard to the high trust vested in the Company, is the very thing which at once gives a title, and imposes a duty on us to interfere, with effect, wherever power and authority, originating from ourselves, are perverted from their purposes, and become instruments of wrong and violence.

If Parliament, Sir, had nothing to do with this charter, we might have some sort of *epicurean* excuse to stand aloof, indifferent spectators of what passes in the Company's name in India and in London. But if we are the very cause of the evil, we are in a special manner engaged to the redress: and for us passively to bear with oppressions committed under the sanction of our own authority, it is in truth and reason for this House to be an active accomplice in the abuse.

That the power notoriously, grossly abused, has been bought from us, it is very certain: but
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this circumstance, which is urged against the Bill, becomes an additional motive for our interference, lest we should be thought to have sold the blood of millions of men, for the base consideration of money. We sold, I admit, all that we had to sell ; that is, our authority, not our controul. We had not a right to make a market of our duties.

I ground myself, therefore, on this principle ; that if the abuse is proved, the contract is broken, and we re-enter into all our rights, that is, into the exercise of all our duties. Our own authority is, indeed, as much a trust originally, as the Company's authority is a trust derivatively ; and it is the use we make of the resumed power, that must justify or condemn us in the resumption of it. When we have perfected the plan laid before us by the Right Honourable Mover, the world will then see what it is we destroy, and what it is we create. By that test we stand or fall ; and by that test, I trust, that it will be found in the issue, that we are going to supersede a charter, abused to the full extent of all the powers which it could abuse and exercise in the plenitude of despotism, tyranny, and corruption ; and that, in one and the same plan, we provide a real chartered security for the *rights of men* cruelly violated, under that charter.

No. L.

Nº L. L. JUNIUS BRUTUS, *against* TARQUINIUS.—(Dionys. Halicar.)

CITIZENS,

MY intention being to speak to you concerning necessary and glorious things, I shall first mention a few circumstances relating to myself: for to some, rather indeed to many of you, I am very well assured that I shall appear disordered in my understanding, when I, a man of an unsound mind, and who, as such, stand in need of a guardian, attempt to speak to matters of the greatest importance. Know then, that the general opinion you all entertained of me, as of a fool, was false, and contrived by me, and me alone. The fear of my life compelled me to live in a manner derogatory both to my nature and condition, though agreeable to the desire of Tarquinius, and to my own security. For Tarquinius, having put my father to death at his accession to the government, that he might possess himself of his fortunes, which were very considerable; and having privately murdered my elder brother, who would have revenged his father's death if he had not been taken off; made it plain that he did not design to spare even myself, now left destitute of my nearest relations, if I had not counterfeited folly: this disguise finding credit with the tyrant, saved me from the
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same tréatment they had experienced, and has preserved me to this day ; and having worn it five and twenty years, the time I wished for and expected being come, I now, for the first time, throw it off.—So much concerning myself.

As to the affairs of the public, in relation to which I called you together, this is the situation of them. Tarquinius, having possessed himself of the sovereignty, contrary to the laws and customs of this nation, which sovereignty, howsoever acquired, he has not exercised either with reputation, or in a manner suitable to the royal dignity ; but has surpassed, in haughtiness and excess, all the tyrants the world ever saw ; we, the Patricians assembled for that purpose, have resolved to deprive him of his dignity : this ought to have been done long ago ; but having now a proper opportunity to effect it, we have called you together, Citizens, to the end that, after we have declared our own resolution, we may desire your assistance in giving liberty to our country, which we have not hitherto been able to enjoy, since Tarquinius usurped the sovereignty : neither shall we hereafter enjoy it, if, upon this occasion, we want resolution. Had I as much time as I could wish, or was to speak to those who were unacquainted with the many acts of injustice the tyrant has been guilty of, I would enumerate them all, in order to convince every one of you that he has deserved, not only
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one, but many deaths: but, since the time afforded me by the present situation of affairs, is short, in which few things are to be said, and many to be done, and that I am speaking to those who are acquainted with his actions, I shall put you in mind of those only that are the most considerable, and the most obvious, and admit not of the least excuse.

. This is that Tarquinius, Citizens, this is the man, who, before he was in possession of the sovereignty, destroyed his own brother Aruns, by poison, because he would not be wicked; in which crime he was assisted by his brother's wife, the sister of his own, whom this enemy of the Gods had long before debauched: this is the man, who at the same time, and by the same poison, took off his wife, a woman of virtue, and a parent of their common children, and did not even vouchsafe to disown the imputation of both these poisonings by a mourning habit, and a short affectation of grief; but presently after he had performed these wonderful achievements, and before the fires which had received their miserable bodies were extinguished, he gave an entertainment to his friends, celebrated his nuptials, and, leading the murderers of her husband, as a bride, to the bed of her sister, performed the abominable contract he had made with her; and was the first, and the only man, who ever introduced into the city of Rome such impious
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and execrable crimes, unknown to any nation in the world, either Greeks or Barbarians. But, in how infamous and dreadful a manner did he treat both his father and mother-in-law, when already near their end ! He murdered Servius Tullius publicly, the mildest of all your kings, the greatest benefactor to you ; and would not suffer his body to be honoured with the customary rites either of a funeral, or of burial ; and Tarquinia, the wife of Tullius, whom, as she was the sister of his father, and had always shewn great tenderness for him, he was obliged in duty to honour as his mother, he caused to be strangled, in a miserable manner, without allowing her time to mourn her dead husband, or perform the customary sacrifices for him, when buried : thus he treated those, by whom he was preserved, by whom he was educated ; and whom, after their death, he was to have succeeded, if he had staid but a short time, till nature had put an end to their lives.

But why do I censure these excesses, when I have so many others to accuse him of (besides those he has been guilty of to his relations, and to his father and mother-in-law), which he has committed against his country, and against us all ?—if they ought to be called excesses, and not the subversion and extinction of all nations and all families. First, as to the sovereignty, that I may begin with that ; how did he obtain it ?

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Did he in this follow the example of the former kings? Far from it. They were all advanced to the sovereignty by us, according to the laws and customs of this nation; first by a decree of the Senate, where, by our constitution, all resolutions concerning the public affairs must first be taken; then by the creation of the Interreges, to whom the Senate grants the power of distinguishing among those who are worthy; and, after both these, by a vote of the people in their election of magistrates, from which vote the law requires that all affairs of the greatest moment should receive their sanction; and, in the last place, by the approbation of the auguries, without which, human diligence and foresight are of no avail. But say which of you knows any one of these things to have been observed, when Tarquinius obtained the sovereignty? What previous order of the Senate? What nomination of the Interreges? What vote of the people? What favourable auguries? I do not ask whether all these were observed (though it was necessary to a regular election that nothing founded either in custom or in law, should be omitted); but, if it can be shown that any one of them was observed, I will be contented not to insist upon those that were omitted. How, then, did he acquire the sovereignty? By arms, by violence, and the conspiracies of wicked men, according to the custom of tyrants; and drew from you, instead.

instead of your consent, your indignation. But, after he had possessed himself of the sovereignty, howsoever acquired, did he use it in a manner becoming a king, in imitation of his predecessors, the whole tenor of whose words and actions tended to aggrandize the city, and leave it more flourishing to posterity than they themselves had received it? What man in his senses can say this, when he sees in how miserable and cruel a manner we have all been treated!

I shall say nothing of the calamities we, who are Patricians, suffer, which even our enemies could not hear without tears; since, from a numerous body, we are reduced to a few; from splendour, to obscurity; and from affluent prosperity, to poverty, and extreme want. Of all those illustrious men, those formidable warriors, and great statesmen, by whose means our city once flourished, some are put to death, and others banished. But what is your condition, Plebeians? Has not Tarquinius taken away your laws? Has he not abolished your meetings, on account of religion and sacrifices? Has he not put an end to your elections of magistrates, to your right of voting, and to your assemblies for the affairs of the public? Does he not force you, like slaves purchased with money, to labour in a shameful manner, to cut stones, saw timber, carry burdens, and waste your strength in deep pits and subterraneous caverns, without allowing you the
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least respite from your miseries? What, then, will be the end of our calamities? How long shall we submit to these things? And when shall we recover our native liberty? When Tarquinius dies?—To be sure! Shall we be in a better condition then? Shall we not be in a worse? for, instead of one Tarquinius, we shall have three; all far more abominable than their father. Since he, who, from a private man, became a tyrant, and began late to be wicked, is a perfect master in all tyrannical mischief; what kind of men may we expect these will prove, who are sprung from him; whose race is wicked, whose education is wicked, and who never had an opportunity of seeing or hearing any action that had the appearance of liberty or moderation? To this end, therefore, you may not guess at their accursed natures, but know with certainty what kind of whelps the tyranny of Tarquinius nurses up for your destruction, behold the action of one of them, the eldest of the three.

This lady is the daughter of Spurius Lucretius, whom the Tyrant, when he went to the war, appointed governor of the city; and the wife of Tarquinius Collatinus, a relation of the Tyrant's, who has undergone many hardships for their sakes. This lady, who desired to preserve her virtue, and loved her husband, as becomes a good wife, Sextus being last night entertained

entertained at her house, as a relation, and Collatinus then absent, and in the camp, could not escape the ungovernable insolence of the tyranny ; but, like a captive, under the power of necessity, submitted to those things that ought not to be offered to a woman of free condition. Resenting this usage, and looking upon the abuse as intolerable, she acquainted her father, and the rest of her relations, with the necessity she had been reduced to ; and having intreated and conjured them all, in the most earnest manner, to revenge the indignity she had suffered, she drew the dagger she had concealed in her bosom, and, in her father's sight, Citizens, plunged in her own bowels ! O thou admirable woman ! great are the praises you deserve for your generous resolution ! You are gone—you are dead ; you were unable to bear the tyrannical insult, and despised all the pleasures of life, to avoid being any longer exposed to the like abuse. After this, Lucretia, when you, who were formed a *woman*, have shown the resolution of a brave *man*, shall we, who were born men, show less courage than women ? To you, after you were deprived of your spotless chastity, through force, by the tyranny of one night, death appeared more amiable, and to promise greater happiness than life ; and shall not we adopt the same sentiments, whom Tarquinius, not by a tyranny of one day only, but of twenty-five years, has deprived of all the pleasures

pleasures of life, in depriving us of our liberty? We cannot live under these miseries, Citizens; we, who are the descendants of those men who thought themselves worthy to give laws to others, and exposed themselves to many dangers for the sake of power and fame: so that we have all no other choice, than that of life with liberty, or of death with glory. For the opportunity we wished for, now presents itself: Tarquinius is absent from the city, the Patricians are the authors of the enterprize,—and no want of any thing, if we enter upon the action with alacrity; not of men, money, arms, generals, nor of any other military preparation; for the city is full of all these. Consider, then, what a shame it would be for us, who aim at giving laws to the *Volsci*, the *Sabines*, and several other nations, to suffer ourselves to be the slaves of others; and to undertake many wars, to gratify the ambition of Tarquinius, and not one to recover our own liberty.

What support, therefore, what assistance can we promise ourselves in this enterprize? This remains to be explained. Our first support is derived from a dependence upon the Gods, whose religion, temples, and altars, Tarquinius pollutes with hands stained with blood, and defiled with all the crimes he has committed against his subjects, every time he begins the sacrifices and libation. The next flows from our dependence upon ourselves, who are neither few in number,

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nor unskilled in war. Besides these advantages, we may expect the assistance of our allies; who, while they are not called upon by us, think it improper to enter into our affairs; but, if they see us acting the part of brave men, will chearfully assist us in the war: for tyranny is odious to all who desire to be free. But, if any of you are afraid, lest the citizens who are in the camp with Tarquinius, should assist him, and make war upon us, they have no reason for that fear: for the tyranny is grievous to them also; and the desire of liberty is implanted by nature in the minds of all men, and every pretence for a change is sufficient for those who are compelled to bear hardships; and if you, by your votes, order them to assist their country, neither fear, nor favour, nor any other motives, that compel or persuade men to commit injustice, will retain them with the tyrants. But if the love of tyranny is rooted in any of them, through an evil disposition, or a corrupt education, as they certainly are not many, we will apply, even to these men, motives of so great force, as to transform them from wicked to good citizens: for we have here their children, wives, and parents, as hostages, which are dearer to every man than his own life: by engaging to restore these to them, if they will desert the Tyrant, and by passing a vote for the impunity of the crimes they have been guilty of, we shall easily prevail upon them,

to join us. March, therefore, Citizens, with confidence, and hopes of success, to this action, the most glorious you were ever engaged in. To your assistance, therefore, O Gods of our ancestors! the propitious guardians of this land;—to yours, O Genii! to whom the care of our fathers was allotted;—and to yours, O Rome! the most favoured by the Gods of all other cities, in which we received our birth and education, we dedicate our counsels, our words, our actions, and our lives; ready to suffer every thing that Heaven and Fate shall decree. But I foresee that glorious enterprize will be crowned with success. May all here present, emboldened with the same confidence, and united in the same sentiments, both preserve you, and be preserved by you!

N^o LI. *Mr. BURKE (Part II.) on East-India Affairs.—1783.*

THIS Bill, and those connected with it, are intended to form the *Magna Charta* of *Hindostan*. Whatever the Treaty of *Westphalia* is to the liberty of the Princes and free cities of the Empire, and to the three religions there professed—whatever the Great Charter, the Statute of Tallage, the Petition of Right, and the Declaration of Right, are to Great-Britain—these Bills are to the people of India. Of this benefit, I am certain,

certain, their condition is capable; and when I know that they are capable of more, my vote shall most assuredly be for our giving to the full extent of their capacity of receiving; and no charter of dominion shall stand as a bar in my way to their charter of safety and protection.

The strong admission I have made of the Company's rights, I am conscious of it, binds me to do a great deal. I do not presume to condemn those who argued, *a priori*, against the propriety of leaving such extensive political powers in the hands of a company of merchants. I know much is, and much more may be, said against such a system; but with my particular ideas and sentiments, I cannot go that way to work. I feel an insuperable reluctance in giving my hand to destroy any established institution of government, upon a theory; however plausible it may be. My experience in life teaches me nothing clear upon the subject. I have known merchants with the sentiments and abilities of great statesmen; and I have seen persons in the rank of statesmen, with the conceptions and character of pedlars. Indeed, my observations have furnished me with nothing that is to be found in any habits of life or education, which tends wholly to disqualify men for the functions of government, but that by which the power of exercising those functions is very frequently obtained, I mean a spirit and habit of low cabal

and intrigue; which I have never in one instance seen united with a capacity for sound and manly policy.

To justify us in taking the administration of their affairs out of the hands of the East-India Company, on my principles, I must see several conditions. 1st, The object affected by the abuse should be great and important; 2d, the abuse of effecting this great object, ought to be a great abuse; 3d, it ought to be habitual, and not accidental; 4th, it ought to be utterly incurable in the body, as it now stands constituted. All this ought to be made as visible to me as the light of the sun, before I should strike off an atom of their charter. A Right Honourable Gentleman (Mr. Pitt) has said, and said, I think, but once, and that very slightly, (whatever his original demand for a plan might seem to require) that "there are abuses in the Company's government." If that were all, the scheme of the Mover of this Bill, the scheme of his learned Friend, and his own scheme of reformation (if he has any), are all equally needless. There are, and must be, abuses in all governments. It amounts to no more than a nugatory proposition. But before I consider of what nature these abuses are, of which the Gentleman speaks so very highly, permit me to recall to your recollection the map of the country which this abused chartered right affects. This I shall
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do, that you may judge whether in that map I can discover any thing like the first of my conditions ; that is, whether the object affected by the abuse of the East-India Company's power, be of importance sufficient to justify the measure and means of reform applied to it in this Bill.

With very few, and those inconsiderable intervals, the British dominion, either in the Company's name, or in the name of Princes absolutely dependent upon the Company, extends, from the mountains that separate India from Tartary, to Cape Comorin, that is, one and twenty degrees of latitude !

In the northern parts, it is a solid mass of land, about eight hundred miles in length, and four or five hundred broad. As you go southward, it becomes narrower for a space : it afterwards dilates. But narrower or broader, you possess the whole eastern and north-eastern coast of that vast country, quite from the borders of *Pegu*, *Bengal*, *Babar*, and *Orissa*, with *Banares* (now unfortunately in our immediate possession), measure 161,978 square English miles ; a territory considerably larger than the whole kingdom of France. *Oude*, with its dependent provinces, is 53,286 square miles ; not a great deal less than *England*. The *Carnatic*, with *Tanjore* and the *Circars*, is 65,948 square miles, very considerably larger than *England* ; and the whole of the Company's dominion, comprehending *Bom-*

bay and *Saltetto*, amounts to 281,412 square miles; which forms a territory larger than any European dominion, *Russia* and *Turkey* excepted. Through all that vast extent of country, there is not a man who eats a mouthful of rice, but by permission of the East-India Company.

So far with regard to the extent. The population of this great empire is not easy to be calculated. When the countries of which it is composed, came into our possession, they were all eminently peopled, and eminently productive; though at that time considerably declined from their ancient prosperity. But since they are come into our hands!—However, if we take the period of our estimate immediately before the utter desolation of the *Carnatic*, and if we allow for the havock which our government had even then made in those regions, we cannot, in my opinion, rate the population at much less than thirty millions of souls; more than four times the number of persons in the island of Great Britain.

My next inquiry to that of the number, is the quality and description of the inhabitants. This multitude of men does not consist of an abject and barbarous populace, much less of gangs of savages, like the *Guaranies* and *Chiquotos*, who wander on the waste borders of the river of *Amazons* or the *Plate*; but a people for ages civilised and cultivated; cultivated by all the arts of polished life,

life, while we were yet in the woods. There have been (and still the skeletons remain) princes, once of great dignity, authority, and opulence. There are to be found the chiefs of tribes and nations. There is to be found an ancient and venerable priesthood, the depository of their laws, learning, and history, the guide of the people whilst living, and their consolation in death ; a nobility of great antiquity and renown ; a multitude of cities, not exceeded in population and trade by those of the first class in Europe ; merchants and bankers, individual houses who have once vied in capital with the bank of England, whose credit had often supported a tottering state, and preserved their government in the midst of war and desolation ; millions of ingenious manufacturers and mechanics ; millions of the most diligent, and not the least intelligent, tillers of the earth.—Here are to be found almost all the religions professed by men ; the *Braminical*, the *Musselmen*, the *Eastern* and the *Western Christians*. If I were to take the whole aggregate of our possessions there, I should compare it, as the nearest parallel I can find, with the Empire of *Germany*. Our immediate possessions I should compare with the *Austrian* dominions, and they would not suffer in the comparison. The Nabob of *Oude* might stand for the King of *Prussia*. The Nabob of *Arcot* I would compare, as superior in territory, and equal in revenue, to the

Electors of *Saxony*. *Chey Sing*, the Rajah of *Banarès*, might well rank with the Prince of *Hesse*, at least; and the Rajah of *Tanjore* (though hardly equal in extent of dominion, superior in revenue) to the Elector of *Bavaria*. The *Polygars*, and the northern *Zemindars*, and other great Chiefs, might well class with the rest of the Princes, Dukes, Counts, Marquisses, and Bishops, in the Empire; all of whom I mention to honour, and surely without disparagement to any or all of those most respectable Princes and Grandees.

All this vast mass, composed of so many orders and classes of men, is infinitely diversified by manners, by religion, by hereditary employment, through all their possible combinations. This renders the handling of India a matter in a high degree critical and delicate. But oh! it has been handled rudely indeed. Even some of the reformers seem to have forgot that they had any thing to do but to regulate the tenants of a manor, or the shopkeepers of the next country town.

It is an empire of this extent, of this complicated nature, of this dignity and importance, that I have compared it to Germany, and the German government; not for an exact resemblance, but as a sort of a middle term, by which *India* might be approximated to our understandings, and, if possible, to our feelings; in order to awaken something of sympathy for the
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unfortunate natives, of which, I am afraid, we are not perfectly susceptible, whilst we look at this very remote object, through a false and cloudy medium.

Nº LII. *Part 5th of CICERO's Oration for MILO.*

ALLOWING it, however, to be so, what reason was there for hurrying back to Rome? For what did he travel in the night-time? What occasioned all this dispatch? Was it because he was the heir? In the first place, this required no hurry; and, in the next, if it had, what could he have got that night, which he must have lost, had he come to Rome only next morning? And as a journey to town in the night was rather to be avoided than desired by Clodius, so if Milo had formed any plot against his enemy, and had known that he was to return to town that evening, he would have stopped and waited for him. He might have killed him by night, in a suspicious place, infested with robbers. Nobody could have disbelieved him, if he had denied the fact; since, even after he has confessed it, every one is concerned for his safety. First of all, the place itself would have been charged with it, being a haunt and retreat for robbers; while the silent solitude, and shades of night, must have concealed Milo: and then, as such numbers had been assaulted and plundered

by Clodius, and so many others were apprehensive of the like treatment, the suspicion must naturally have fallen upon them ; and, in short, all Etruria might have been prosecuted.

But it is certain that Clodius, in his return that day from Aricia, called at Albanum. Now, though Milo had known that Clodius had left Aricia, yet he had reason to suspect that he would call at his seat which lies upon the road, even though he was that day to return to Rome. Why then did he not either meet him sooner and prevent his reaching it, or post himself where he was sure Clodius was to pass in the night-time ? Thus far, my Lords, every circumstance concurs to prove, that it was for Milo's interest Clodius should live ; that, on the contrary, Milo's death was a most desirable event for answering the purposes of Clodius : that, on the one side, there was a most implacable hatred, on the other not the least ; that the one had been continually employing himself in acts of violence, the other only in opposing them ; that the life of Milo was threatened, and his death publicly foretold by Clodius—whereas nothing of that kind was ever heard from Milo ; that the day fixed for Milo's journey was well known to his adversary, while Milo knew nothing when Clodius was to return ; that Milo's journey was necessary, but that of Clodius rather the contrary ; that the one openly declared his intention

of

of leaving Rome that day, while the other concealed his intention of returning; that Milo made no alteration in his measures, but that Clodius feigned an excuse for altering his; that if Milo had designed to way-lay Clodius, he would have waited for him near the city till it was dark; but that Clodius, even if he had been under no apprehensions from Milo, ought to have been afraid of coming to town so late at night.

Let us now consider the principal point, whether the place where they encountered was most favourable to Milo, or to Clodius. But can there, my Lords, be any room for doubt, or for any farther deliberation upon that? It was near the estate of Clodius, where at least a thousand able-bodied men were employed in his mad schemes of building. Did Milo think he should have an advantage by attacking him from an eminence, and did he for this reason pitch upon that spot for the engagement? Or was he not rather expected in that place by his adversary, who hoped the situation would favour his assault? The thing, my Lords, speaks for itself, which must be allowed to be of the greatest importance in determining a question. Were the affair to be represented only by painting, instead of being expressed by words, it would even then clearly appear which was the traitor, and which was free from all mischievous designs; when the one was sitting in his chariot, muffled up in his
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cloak,

cloak, and his wife along with him. Which of these circumstances was not a very great incumbrance? The dress, the chariot, or the companion? How could he be worse equipped for an engagement, when he was wrapt up in a cloak, embarrassed with a chariot, and almost fettered by his wife? Observe the other now, in the first place, falling out on a sudden from his seat; for what reason? In the evening; what urged him? Late; to what purpose, especially at that season? He calls at Pompey's seat; with what view? To see Pompey? He knew he was at Alifum. To see his house? He had been in it a thousand times. What then could be the reason of this loitering and shifting about?—He wanted to be upon the spot when Milo came up.

Now please to compare the travelling equipage of a determined robber, with that of Milo. Clodius, before that day, always travelled with his wife; he was then without her: he never used to travel but in his chariot; he was then on horseback: he was attended with Greeks wherever he went, even when he was hurrying to the Tuscan camp; at that time he had nothing insignificant in his retinue. Milo, contrary to his usual manner, happened then to take with him his wife's fingers, and a whole train of her women: Clodius, who never failed to carry his whores, his catamites, and his bawds along with him, was then attended by none but those who seemed

seemed to be picked out by one another. How came he then to be overcome? Because the traveller is not always killed by the robber, but sometimes the robber by the traveller; because, though Clodius was prepared, and fell upon those who were unprepared, yet Clodius was but a woman, and they were men. Nor, indeed, was Milo ever so little unprepared, as not to be a match for him at any time. He was always sensible how much it was Clodius's interest to get rid of him, what an inveterate hatred he bore to him, and what audacious attempts he was capable of; and therefore, as he knew that a price was set upon his life, and that it was, in a manner devoted to destruction, he never exposed it to any danger without a guard. Add to this effect of accidents, the uncertain issue of all combats, and the common chance of war, which often turns against the victor, even when ready to plunder and triumph over the vanquished. Add the unskilfulness of a gluttonous, drunken, stupid leader, who, when he had surrounded his adversary, never thought of his attendants that were behind; from whom, fired with rage, and despairing of their master's life, he suffered the punishment which those faithful slaves inflicted, in revenge for their master's death. Why, then, did he give them their freedom? He was afraid, I suppose, lest they should betray him, lest they should not be able to endure pain, lest the torture

ture should oblige them to confess that P. Clodius was killed by Milo's servants on the Appian way.—But what occasion for torture? What was you to extort? If Clodius was killed?—He was; but whether lawfully or unlawfully, can never be determined by torture. When the question relates to the matter of fact, we may have recourse to the executioner; but when to a point of equity, the judge must decide.

Let us here then examine into what is to be the subject of enquiry in the present case; for, as to what you would extort by torture, we confess it all. But if you ask why he gave them their freedom, rather than why he bestowed so small a reward upon them, it shews that you do not even know how to find fault with this action of your adversary. For M. Cato, who sits on this bench, and who always speaks with the utmost resolution and steadiness, said, and said it in a tumultuous assembly, which however was quelled by his authority, that those who had defended their master's life, well deserved not only their liberty, but the highest rewards. For what reward can be great enough for such affectionate, such worthy and faithful servants, to whom their master is indebted for his life? and, which is yet a higher obligation, to whom he owes it, that his most inveterate enemy has not feasted his eyes, and satiated his wishes, with the sight of his mangled, bloody corse. Who, if they had not

not been made free, these deliverers of their master, these avengers of guilt, these defenders of innocent blood, must have been put to the torture. It is matter, however, of no small satisfaction to him, under his present misfortunes, to reflect that, whatever becomes of himself, he has had it in his power to reward them as they deserved. But the torture that is now inflicting in the porch of the Temple of Liberty, bears hard upon Milo. Upon whose slaves is it inflicted? Do you ask? On those of P. Clodius. Who demanded them? Appius. Who produced them? Appius. From whence came they? From Appius. Good Gods! can any thing be more severe? Servants are never examined against their masters, but in cases of incest; as in the instance of Clodius, who now approaches nearer the Gods, than when he made his way into their very presence; for the same enquiry is made into his death, as if their sacred mysteries had been violated. But our ancestors would not allow a slave to be put to the torture for what affected his master; not because the truth could not thus be discovered, but because their masters thought it dishonourable, and worse than death itself. Can the truth be discovered when the slaves of the prosecutor are brought as witnesses against the person accused? Let us hear now what kind of an examination this was. Call in Roscio, call in Casca. Did Clodius way-lay
Milo?

Milo? He did. Drag them instantly to execution,—he did not. Let them have their liberty. What can be more satisfactory than this method of examination? They are hurried away on a sudden to the rack, but are confined separately, and thrown into dungeons, that no person may have an opportunity of speaking to them; at last, after having been, for a hundred days, in the hands of the prosecutor, he himself produces them. What can be more fair and impartial than such an examination?

N^o LIII. *Lord NORTH, on the Address to His Majesty, and on the Coalition.—1783.*

I AM sorry to differ, in many points, from my Honourable Friend who spoke last, who undoubtedly may be said to be independent, as far as a person's standing singular in his opinion is independent of every person who has argued on either side of the question. My honourable Friend has conceived that a Right Honourable Gentleman on the floor (Mr. Fox) intends to cram the India Bill, under another name, down the throats of the House of Lords. The Honourable Gentleman is mistaken in calling him the Right Honourable Secretary; for, sorry I am to say, that, to the misfortune of this country, it is a name which no longer belongs to him. But I will call him by a name which, I trust, will

will ever belong to him—a name which it is my pride to boast of, since I knew him best. I will henceforth call him by the name of my Right Honourable Friend; by that word I mean in future to describe him, and I hope that by that name he will in future be known in the House. Our intimate connection was founded on principles of honour. When the great points on which we differed were no more, we thought we might act together with cordiality, and without inconsistency: we were not mistaken; we tried the experiment, and it succeeded; no meanness, no dishonour, no jealousy discovered itself: all was inviolable adherence to honour and good faith, on one part;—all was confidence, on the other. No mean concessions were made on either side. I appeal to my Right Honourable Friend, if I ever sacrificed any one opinion which I formerly seriously held upon principle, unless when reason and argument might have pointed out the propriety of it: and, in justice to my Right Honourable Friend, I must declare, that he never sacrificed to me any principle which he ever held when in opposition to my government. The necessity of the State called for that which has been so often called a cursed coalition; nay, the very circumstances of the present day demonstrate that necessity; for where could an administration be formed without a coalition? There are at present two Cabinet Ministers; and if coalition
was

was a cursed thing, then this Ministry of two men is a cursed Ministry; for it is formed in a coalition of two persons who differed formerly on essential points. The difference, however, of the two coalitions is this: the coalition between my Right Honourable Friend and myself, was a coalition of whole parties blended into one, for the purpose of forming a stable and permanent government; whereas the coalition between the present First Lord of the Treasury, and the Lord President (Earl Gower), is a coalition of shreds, of ends, and remnants; a coalition of small parts of parties, but not of the parties themselves. Why, then, is it the fashion to call the one a cursed coalition, and yet take no notice of the other? I cannot tell, unless it is that one is sufficiently strong to form a strong government; while the former cannot muster more, as yet, than two Cabinet Ministers. The experience of time has justified the Coalition, and rendered it a blessing to the country. When Parliament put an end to my administration, by the Address against the American war, it was succeeded by another, which appeared to be strong: but it carried in its own bosom the seeds of its own weakness, in the disunion which appeared in several parts of it, which soon shewed itself by their splitting asunder, and a secession of part of it from the Cabinet. The next administration was but weak, because it was ill connected; and it had lost the support

support of those who formerly acted with it : the members of it, therefore, fell off one after another, till losing the confidence of the House, the poor remnant of it was obliged to yield to the voice of the Parliament, and retire. From this experience it appeared necessary, for the good of the State, that a permanent government should be formed ; and it was clear that it could not possibly be formed, unless a coalition should take place among those who, though once enemies upon points which could no longer come into debate, might act together, very cordially, in every other respect. Such a coalition was formed ; but then it was charged with having seized upon Government : this is, indeed, a charge that I do not understand ; for the public waited for six weeks for a Ministry ; and every means were tried for a new one, without the assistance of the Coalition : but failing in every attempt, the Ministers all quitted the Cabinet before the Coalition were sent for. The Cabinet was then empty ; so that, if we seized upon it, it was by marching in after the garrison which ought to have defended it had fled, and who, as they were going out, cried, “ What a terrible cursed thing is this Coalition, that is driving us from our situations.” But if we became possessed of Government, we are at worst charged with having carried it by storm, bravely, in the face of the enemy, not by sap ; we carried on our advances regularly, and above ground, in view of the foe ;

not

not by mining in the dark, and blowing up the fort, before the garrison knew there was an intention to attack it. It has been said, on a former day, that a starling ought to be brought, placed in this House, and taught to speak the words, "Coalition! Coalition! cursed Coalition!" Now, for my part, I think that, while there is in this House an Honourable Gentleman who never fails, let what will be the subject of debate, to take an opportunity to curse the Coalition, I think there will be no occasion for the starling: and while he continues to speak by rote, and without any fixed idea, I think what he says will make just as much impression as if the starling himself was to utter his words. As to the Coalition, and the abuse which was so often thrown upon it, they always bring to my mind two persons, for whom I felt no inconsiderable share of concern; these were two men who were shut up in the Eddystone light-house, to mind the fire. They were both of different principles; and therefore, though they were shut in from all intercourse with the rest of mankind, and though they might, by their conversation, have amused one another, yet they never exchanged a word with each other for six weeks; and they had rather let the fire go out, and see all the Navy of England dashed to pieces under them, than that one should consent to give up the most trivial point to the other. The enemies of the

Coalition

Coalition would have had my Honourable Friend and me resemble the two men in the light-house: but we have acted more wisely for the public good; we considered the safety of the public our principal care and duty; and, in order to save the ship of State from running ashore, or dashing against the rocks, we all agreed, at all events, that the fire in the light-house should not be extinguished; but that, let who would stir it, it was to be kept in: thus, what some affected to call a curse, was, in reality, a blessing to the nation. I will not charge the Right Honourable Gentleman at present at the head of His Majesty's affairs, with being an enemy to Coalitions; on the contrary, he likes them so well, that he has formed one himself with the Noble Lord who sits with him in the Cabinet. The Right Honourable Gentleman has endeavoured to imitate our Coalition, but he has bungled the business; for, as I said before, he has coalesced with the remnant of parties, and not with the parties themselves: therefore I may apply to them the expression of the Roman Orator, *Placuisse, sed non tetigisse*. But to return from my digression, my Honourable Friend behind me (Governor Johnstone) says that my Right Honourable Friend means to cram down the throats of the House of Lords, a Bill which they had already rejected: but surely he cannot be in earnest, for he knows my Right Honourable Friend is no longer

longer in a situation to cram any thing down their throats ; and the Honourable Member over the way (Mr. Banks) says that a Bill, totally different from that which was rejected, inasmuch as it is free from all those objections which are said to have made so many enemies to the Bill that is lost, it is to be presented by the new Minister : and therefore as one person has it not in his power to present the same Bill again, and another person will present a totally different one, there is no danger that the old Bill will be crammed down the throats of the House of Lords ; and, consequently, there is no danger that the event should take place, which, in my Honourable Friend's opinion, would justify a dissolution of the present Parliament. My Honourable Friend has been mistaken in another point : he says, that my Right Honourable Friend said, before he resigned, that he would bring in again the same Bill. This is, indeed, a capital mistake ; for my Right Honourable Friend did not resign, he was turned out ; I was turned out ; we were all turned out : not the merit of having voted against the Bill, could preserve the Lord President of the Council from the mortification of being turned out, with all his. As to the assurances given to the Committee, on the part of the Right Honourable Gentleman now at the head of His Majesty's affairs, that no dissolution or prorogation will take place through his advice, I am
 very

very well inclined to say, that in his honour and integrity I have a great reliance : but what security can he give that secret influence in the Lords of the Bed-chamber will not defeat his intentions, and produce a dissolution, not only without his advice, but even contrary to it?—I value highly the character of that Right Honourable Gentleman ; and though he is my political enemy, still I always feel myself disposed to treat him with more respect than I ever experienced from him : but highly as I value that character, I cannot trust to it upon the present occasion, because the events to which that character is pledged, may not be within the controul of the Right Honourable Member. At present there are only two Ministers in the Cabinet ; but when the number is compleated, who can answer to the House of Commons that a dissolution may not be proposed in the Cabinet—the Right Honourable Gentleman out-voted, and the question carried ? This is upon the supposition that the event will depend upon the Cabinet ; but the difficulty will be still greater, if the Committee will reflect on the power of secret influence, which can put an end to the strongest Administration, as has been experienced within these few days. I therefore must declare, that, as the Address is couched in the strongest terms of respect, duty, affection, and loyalty to His Majesty, I think it ought to be carried, as the only
effectual

effectual means of preventing those calamities which would flow from a dissolution of Parliament, in the present critical situation of affairs.

Nº LIV. *Part 6th of CICERO's Oration for MILO.*

BUT if, my Lords, you are not yet convinced, though the thing shines out with such strong and full evidence, that Milo returned to Rome with an innocent mind, unstained with guilt, undisturbed by fear, and free from the accusations of conscience; call to mind, I beseech you by the immortal Gods, the expedition with which he came back, his entrance into the Forum while the Senate-house was in flames, the greatness of soul he discovered, the look he assumed, the speech he made on the occasion. He delivered himself up, not only to the people, but even to the Senate; nor to the Senate alone, but even to guards appointed for the public security; nor merely to them, but even to the authority of him whom the Senate had entrusted with the care of the whole Republic, all the youth of Italy, and all the military force of Rome: to whom he would never have delivered himself, if he had not been confident of the goodness of his cause; especially as that person heard every report, was apprehensive of very great danger, had many suspicions, and gave credit to some stories.

Great,

Great, my Lords, is the force of conscience; great, both in the innocent and the guilty: the first have no fears, while the others imagine their punishment is continually before their eyes. Nor, indeed, is it without good reason that Milo's cause has ever been approved by the Senate; for those wise men perceived the justice of his cause, his presence of mind, and the resolution with which he made his defence. Have you forgot, my Lords, when the news of Clodius's death had reached us, what were the reports and opinions that prevailed, not only amongst the enemies of Milo, but even amongst some other weak persons, who affirmed that Milo would not return to Rome? For, if he committed the fact in the heat of passion, from a principle of resentment, they imagined he would look upon the death of P. Clodius as of such consequence, that he could be content to go into banishment, after having satiated his revenge with the blood of his enemy: or, if he put him to death with a view to the safety of his country, they were of opinion that the same brave man, after he had saved the State, by exposing his own life to danger, would cheerfully submit to the laws; and, leaving us to enjoy the blessings he had preserved, be satisfied himself with immortal glory. Others talked in a more frightful manner, and called him a Catiline: he will break out, said they; he will seize some strong place; he will make war upon his

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country.

country. How wretched is often the fate of those citizens who have done the most important services to their country! Their noblest actions are not only forgotten, but they are even suspected of the most impious. These suggestions, therefore, were groundless: yet they must have proved too well founded, had Milo done any thing that could not be defended with truth and justice.

Why should I mention the calumnies that were afterwards heaped upon him? And though they were such as would have filled with terror any breast that had the least consciousness of guilt, yet how he bore them!—Immortal Gods!—bore them, did I say? Nay, how he despised and set them at nought! Though a guilty person, even of the greatest courage, nor an innocent person, unless endued with the greatest fortitude, could never have neglected them. It was whispered about, that a vast number of shields, swords, bridles, darts, and javelins might be found; that there was not a street, nor lane, in the city, where Milo had not hired a house; that arms were conveyed down the Tiber to his seat at Oriculum; that his house on the Capitoline-hill was filled with shields; and that every other place was full of hand-grenades, for firing the city. These stories were not only reported, but almost believed; nor were they looked upon as groundless till after a search was made. I could not, indeed, but applaud the wonderful diligence

diligence of Pompey upon the occasion : but, to tell you freely, my Lords, what I think, those who are charged with the care of the whole Republic, are obliged to hear too many stories ; nor, indeed, is it in their power to avoid it. He could not refuse an audience to a paltry fellow of a priest (Licinius I think he is called), who gave information that Milo's slaves, having got drunk at his house, confessed to him a plot they had formed to murder Pompey, and that afterwards one of them had stabbed him, to prevent his discovering it. Pompey received this intelligence at his gardens. I was sent for immediately ; and, by the advice of his friends, the affair was laid before the Senate. I could not help being in the greatest consternation, to see the guardian, both of me and my country, under so great an apprehension ; yet I could not help wondering that such credit was given to a butcher ; that the confessions of a parcel of drunken slaves should be read ; and that a wound in the side, which seemed to be the prick only of a needle, should be taken for the thrust of a gladiator. But, as I understand, Pompey was showing his caution, rather than his fear ; and was disposed to be suspicious of every thing, that you might have reason to fear nothing. There was a rumour also, that the house of C. Cæsar, so eminent for his rank and courage, was attacked for several hours in the night. Nobody heard, no-

body perceived any thing of it, though the place was so public ; yet the affair was thought fit to be inquired into. I could never suspect a man of Pompey's distinguished valour, of being timorous ; nor yet think any caution too great in one who has taken upon himself the defence of the whole Republic. A Senator too, in a full house, affirmed lately in the Capitol, that Milo had a dagger under his gown at the very time : upon which he stript himself, in that most sacred temple, that, since his life and manners could not gain him credit, the thing itself might speak for him.

These stories were all discovered to be false, malicious forgeries : but if, after all, Milo must still be feared ; it is no longer the affair of Clodius, but your suspicions, Pompey, which we dread : *your, your suspicions*, I say, and speak it so that you may hear me. If you are afraid of Milo ; if you imagine that he is either now forming, or has ever before contrived, any wicked design against your life ; if the forces of Italy, as some of your agents alledge, if this armed force, if the Capitoline troops, if these sentries and guards, if the chosen band of young men that guard your person and your house, is armed against the assaults of Milo ; if all these precautions are taken, and pointed against him ; great, undoubtedly, must be his strength, and incredible his valour, far surpassing the forces and power
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of a single man, since the most eminent of all our generals is fixed upon, and the whole Republic armed to resist him. But who does not know that all the infirm and feeble parts of the State are committed to your care, to be restored and strengthened by this armed force? Could Milo have found an opportunity, he would immediately have convinced you, that no man ever had a stronger affection for another, than he has for you; that he never declined any danger, where your dignity was concerned; that, to raise your glory, he often encountered that monster Clodius; that his tribunate was employed, under your direction, in securing my safety, which you had then so much at heart, that you afterwards protected him when his life was in danger, and used your interest for him when he stood for the Prætorship; that there were two persons whose warmest friendship he hoped he might always depend upon; *yourself*, on account of the obligations you laid him under; and *me*, on account of the favours I received from him. If he had failed in the proof of all this; if your suspicions had been so deeply rooted as not to be removed; if Italy, in a word, must never have been free from new levies, nor the city from arms, without Milo's destruction; he would not have scrupled, such is his nature and principles, to bid adieu to his country: but first he would have called upon thee, O thou great one, as he now does.

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Nº LV.

N^o LV. Sir JOHN BARNARD, *on manning the Fleet.*—1741.

MR. SPEAKER,

I THINK myself obliged, by my duty to my country, and by my gratitude to those by whose industry we are enriched, and by whose courage we are defended, to make, once more, a declaration, not against particular clauses,—not against single circumstances, but against the whole Bill ; a Bill unjust and oppressive, absurd and ridiculous ; a Bill to harass the industrious, and distress the honest ; to puzzle the wise, and add power to the cruel : a Bill which cannot be read without astonishment, nor passed without the violation of our constitution, and an equal disregard of policy and humanity. All these assertions will need to be proved only by a bare perusal of this hateful Bill, by which the meanest, the most worthless reptile, exalted to a petty office, by serving a wretch only superior to him in fortune, is enabled to flush his authority, by tyrannizing over those who every hour deserve the public acknowledgements of the community ; to intrude upon the retreats of brave men, fatigued and exhausted by honest industry ; to drag them out, with all the wantonness of groveling authority, and chain them to the oar, without a moment's respite ; or perhaps

haps oblige them to purchase, with the gains of a dangerous voyage, or the plunder of an enemy lately conquered, a short interval to settle their affairs, or bid their children farewell. Let any Gentleman in this house, let those, Sir, who now sit at ease, projecting laws of oppression, and conferring upon their own slaves such licentious authority, pause a few moments, and imagine themselves exposed to the same hardships, by a power superior to their own;—let them conceive themselves torn from the tenderness and caresses of their families, by midnight irruptions, dragged in triumph through the streets, by a despicable officer, and placed under the command of those by whom they have, perhaps, been already oppressed and insulted. Why should we imagine that the race of men for whom these cruelties are preparing, have less sensibility than ourselves? Why should we believe that they will suffer without complaint, and be injured without resentment? Why should we conceive that they will not at once deliver themselves, and punish their oppressors, by deserting that country where they are considered as felons, and laying hold on those rewards and privileges which no other government will deny them? This is, indeed, the only tendency, whatever may have been the intention of the Bill now before us; for I know not whether the most refined sagacity can discover any other method

thod of discouraging navigation, than those which are drawn together in the Bill now before us. We first give our constables an authority to hunt the sailors, like thieves, and drive them, by incessant pursuit, out of the nation; but, lest any man should, by friendship, good fortune, or the power of money, find means of staying behind, we have, with equal wisdom, condemned him to poverty and misery; and, lest the natural courage of his profession should incite him to assist his country in the war, have contrived a method of precluding him from any advantage that he might have the weakness to hope from his fortitude and diligence. What more can be done, unless we at once prohibit to seamen the use of the common elements, or doom them to a general proscription?

It is just that advantage, Sir, should be proportioned to the hazard by which it is to be obtained; and therefore a sailor has an honest claim to an advance of wages in time of war: it is necessary to excite expectation, and to fire ambition, by the prospect of great acquisitions; and by this prospect it is that such numbers are daily allured to naval business, and that our privateers are filled with adventurers. The large wages which war makes necessary, are more powerful incentives to those whom impatience of poverty determines to change their state of life, than the secure gains of peaceful commerce; for
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the danger is overlooked by a mind intent upon the profit. War is the harvest of a sailor, in which he is to store provisions for the winter of old-age; and, if we blast this hope, he will inevitably sink into indolence and cowardice. Many of the sailors are bred up to trades, or capable of any laborious employment upon land; nor is there any reason for which they expose themselves to the dangers of a sea-faring life, but the hope of sudden wealth, and some lucky season, in which they may improve their fortunes by a single effort. Is it reasonable to believe, that all these will not rather have recourse to their former callings, and live in security, though not in plenty, than encounter danger and poverty at once, and face an enemy, without any prospect of recompense?

Let any man recollect the ideas that arose in his mind upon hearing of a Bill for encouraging and increasing sailors, and examine whether he had any expectation of expedients like these. I suppose it was never known before that men were to be encouraged by subjecting them to peculiar penalties, or that to take away the gains of a profession, was a method of recommending it more generally to the people. But it is not of very great importance to dwell longer upon the impropriety of this clause, which there is no possibility of putting in execution. That the merchants will try every method of eluding a law

so prejudicial to their interest, may be easily imagined; and a mind not very fruitful of evasions, will discover that this law may be eluded by a thousand artifices. If the merchants are restrained from allowing men their wages beyond a certain sum, they will make contracts for the voyage, of which the time may be very easily computed: they may offer a reward for expedition and fidelity; they may pay a large sum by way of advance; they may allow the sailors part of the profits, or may offer money by a third hand. To fix the price of any commodity, of which the quantity and the use may vary their proportions, is the most excessive degree of ignorance. No man can determine the price of corn, unless he can regulate the harvest, and keep the number of the people for ever at a stand.

But let us suppose these methods as efficacious as their most sanguine vindicators are desirous of representing them, it does not yet appear that they are necessary; and, to inflict hardships without necessity, is by no means the practice of either wisdom or benevolence. To tyrannize and compel, is the low pleasure of petty capacities; of narrow minds, swelled with the pride of uncontrollable authority; the wantonness of wretches who are insensible of the consequences of their own actions, and of whom candour may perhaps determine, that they are only *cruel* because they are stupid. Let us not exalt into a precedent

precedent the most unjust and rigorous law of our predecessors, of which they themselves declared their repentance, or confessed the inefficacy, by never reviving it: let us rather endeavour to gain the sailors by lenity and moderation, and reconcile them to the service of the Crown by real encouragements; for it is rational to imagine, that in proportion as men are *disgusted by injuries*, they will be *won by kindness*. There is one expedient, Sir, which deserves to be tried; and from which, at least, more success may be hoped, than from cruelty, hunger, and persecution. The ships that are now to be fitted out for the service, are those of the first magnitude, which it is usual to bring back into the ports in winter. Let us, therefore, promise to all seamen that shall voluntarily engage in them, besides the reward already proposed, a discharge from the service at the end of six or seven months. By this they will be released from their present dread of perpetual slavery; and be certain, as they are when in the service of the merchants, of a respite from their fatigues. The trade of the nation will be only interrupted for a time, and may be carried on in the winter-months; and large sums will be saved by dismissing the seamen when they cannot be employed. By adding this to the other methods of encouragement, and throwing aside all rigorous and oppressive schemes, the navy may easily be

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manned.

manned, our country protected, our commerce re-established, and our enemies subdued ;—but, to pass the Bill as it now stands, is to determine that trade shall cease, and that no ship shall sail out of the river.

N^o LVI. *Part 7th of CICERO's Oration for MILO.*

CONSIDER how uncertain and variable the condition of life is, how unsettled and inconstant a thing fortune ; what unfaithfulness is to be found amongst friends ; what disguises suited to times and circumstances ; what desertion, what cowardice in our dangers, even of those who are dearest to us. There will—there will, I say, be a time, and the day will certainly come, when you, with safety still, I hope, to your fortunes, though changed perhaps by some turn of the common times, which, as experience shews, will often happen to us all, may want the affection of the friendless, the fidelity of the worthiest, and the courage of the bravest man living. Though who can believe that Pompey, so well skilled in the laws of Rome, in ancient usages, and the constitution of his country, when the Senate had given it him in charge to see that *the Republic received no detriment* ;—a sentence always sufficient for arming the Consuls, without assigning them an armed force ;—that he, I say, when

when an army and a chosen band of soldiers were assigned him, should wait the event of this trial, and defend the conduct of the man who wanted to abolish trials? It was sufficient that Pompey cleared Milo from those charges that were advanced against him, by enacting a law, according to which, in my opinion, Milo ought, and, by the confession of all, might lawfully be acquitted. But by sitting in that place, attended by a numerous guard assigned him by public authority, he sufficiently declares his intention is not to overawe, (for what can be more unworthy a man of his character, than to oblige you to condemn a person, whom, from numerous precedents, and by virtue of his own authority, he might have punished himself?) but to protect you: he means only to convince you that, notwithstanding yesterday's riotous assembly, you are at full liberty to pass sentence according to your own judgements.

But, my Lords, the Clodian accusation gives me no concern; for I am not so stupid, so void of all experience, or so ignorant of your sentiments, as not to know your opinion in relation to the death of Clodius: and, though I had not refuted the charge, as I have done, yet Milo might, with safety, have made the following glorious declaration in public, though a false one: "I have slain, not a Sp. Mælius, who was suspected of aiming at the regal power, because he courted
the

the favour of the people by lowering the price of corn, and bestowing extravagant presents to the ruin of his own estate; not a Tiberius Gracchus, who seditiously deposed his colleague from his magistracy; though even their destroyers have filled the world with the glory of their exploits: but I have slain the man (for he had a right to use this language, who had saved his country at the hazard of his own life) whose abominable adulteries our noblest matrons discovered, even in the most sacred recesses of the immortal Gods: the man, by whose punishment the Senate frequently determined to atone for the violation of our religious rites: the man whose incest with his own sister, Lucullus swore he had discovered by due examination: the man who, by the violence of his slaves, expelled a person esteemed by the Senate, the people, and all nations, as the preserver of the city and the lives of the citizens: the man who gave and took away kingdoms, and parcelled out the world to whom he pleased: the man, who, after having committed several murders in the forum, by force of arms obliged a citizen of illustrious virtue and character to confine himself within the walls of his own house: the man who thought no instance of villainy or lust unlawful: the man who fired the temple of the Nymphs, in order to destroy the public register, which contained the censure of his crimes: in a word, the man who governed himself

self by no law, disregarded all civil institutions, and observed no bounds in the division of property ; who never attempted to seize the estate of another by quirks of law, suborned evidence, or false oaths, but employed the more effectual means of regular troops, encampments, and standards ; who, by his armed forces, endeavoured to drive from their possessions, not only the Tuscans (for them he utterly despised), but Q. Varius, one of our judges, that brave man and worthy citizen ; who, with his architects and measures, traversed the estates and gardens of a great many citizens, and grasped, in his own imagination, all that lies between Janiculum and the Alps ; who, when he could not persuade Titus Pacavius, an illustrious and brave Roman knight, to sell an island upon the Pretian Lake, immediately conveyed timber, stone, mortar, and sand, into the island in boats, and made no scruple of building a house on another person's estate, even while the proprietor was viewing him from the opposite bank ; who had the impudence, immortal Gods ! to declare to such a man as Titus Furfanius, (for I shall omit the affair relating to the widow Scantia, and the young Apronius, both of whom he threatened with death, if they did not yield to him the possession of their gardens) who had the impudence, I say, to declare to Titus Furfanius, that if he did not give him the sum of money he demanded,

manded, he would convey a dead body into his house, in order to expose so eminent a man to the public odium ; who dispossessed his brother Appius of his estate in his absence, a man united to me in the closest friendship ; who attempted to run a wall through a court-yard belonging to his Sister, and to build it in such a manner as not only to render the court-yard useless, but to deprive her of all entrance and access to her house.

Yet all these violences were tolerated, though committed no less against the commonwealth, than against private persons ; against the remotest, as well as the nearest ; strangers, as well as relations : but the amazing patience of Rome was become, I know not how, perfectly hardened and callous. Yet by what means could you have warded off those dangers that were more immediate and threatening, or how could you have submitted to his government, if he had obtained it ? I pass by our allies, foreign nations, kings, and princes ; for it was your ardent prayer that he would turn himself loose upon those, rather than upon your estates, your houses, and your money :—Your money, did I say ?—By heavens, he had never restrained his unbridled lust from violating your wives and children. Do you imagine that these things are mere fictions ? Are they not evident ? not publicly known ? not remembered

membered by all ? Is it not notorious that he attempted to raise an army of slaves, strong enough to make himself master of the whole Republic, and of the property of every Roman ? Wherefore, if Milo, holding the bloody dagger in his hand, had cried aloud, “ Citizens, I beseech
 “ you, draw near and attend : I have killed
 “ Publius Clodius with this right hand, with
 “ this dagger : I have saved your lives from that
 “ fury, which no laws, no government could
 “ restrain : to me alone it is owing, that justice,
 “ equity, laws, liberty, modesty, and decency, have
 “ yet a being in Rome ”—could there be any room for Milo to fear how his country would take it ? Who is there now that does not approve and applaud it ? Where is the man that does not think and declare it as his opinion, that Milo has done the greatest possible service to his country ; that he has spread joy amongst the inhabitants of Rome, of all Italy, and the whole world ? I cannot indeed determine how high the transports of the Roman people may have risen in former times : this present age, however, has been witness to many signal victories of the bravest generals ; but none of them ever occasioned such real and lasting joy. Commit this, my Lords, to your memories. I hope that you and your children will enjoy many blessings in the Republic, and that each of them will be attended

tended with this reflection, that if P. Clodius had lived, you would have enjoyed none of them. We now entertain the highest, and, I trust, the best-grounded hopes, that so excellent a person being Consul, the licentiousness of men being curbed, their schemes broken, law and justice established, the present will be a most fortunate year to Rome. But who is so stupid as to imagine this would have been the case had Clodius lived? How could you possibly have been secure in the possession of what belongs to you, of your own private property, under the tyranny of such a fury?

I am not afraid, my Lords, that I should seem to let my resentment for personal injuries rise so high, as to charge these things upon him with more freedom than truth; for, though it might be expected this should be the principal motive, yet so common an enemy was he to all mankind, that my aversion to him was scarcely greater than that of the whole world. It is impossible to express, or indeed to imagine, what a villain, what a pernicious monster he was. But, my Lords, attend to this; the present trial relates to the death of Clodius: form, now, in your minds—(for our thoughts are free, and represent what they please, just in the same manner as we perceive what we see)—form, I say, in your minds, the picture of what I shall now describe. Suppose

pose I could persuade you to acquit Milo, on condition that Clodius should revive. Why do your countenances betray those marks of fear? How would he affect you when living, if the bare imagination of him, though he is dead, so powerfully strikes you? What, if Pompey himself, a man possessed of that merit and fortune which enable him to effect what no one besides can; if he, I say, had it in his power either to appoint Clodius's death to be inquired into, or to raise him from the dead; which do you think he would choose? Though from a principle of friendship he might be inclined to raise him from the dead, yet a regard to his country would prevent him. You therefore sit as the avengers of that man's death, whom you would not recall to life if you were able; and inquiry is made into his death by a law which would not have passed if it could have brought him to life. If his destroyer then should confess the fact, need he fear to be punished by those whom he has delivered? The Greeks render divine honours to those who put tyrants to death. What have I seen at Athens! what in other cities of Greece! What ceremonies were instituted for such heroes! what hymns! what songs! The honours paid them were almost equal to those paid to the immortal gods. And will you not only refuse to pay any honours to the preserver of so great a people

people, and the avenger of such execrable villainies, but even suffer him to be dragged to punishment? He would have confessed, I say, had he done the action; he would have bravely and freely confessed that he did it for the common good: and indeed he ought not only to have confessed, but to have proclaimed it.

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